



Morton Mandan Public Library  
609 West Main Street  
Mandan, ND 58554

# POLICY MANUAL

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# **Morton Mandan Public Library**

Mandan, ND

## **Policy Manual**

### **Introduction**

The purpose of this manual is to provide the members of the Morton Mandan Public Library Board of Trustees, the Library Administration and Staff, and library patrons a consolidation of policies relating to the overall direction and operation of the Morton Mandan Public Library.

### **Mission Statement**

The mission of the Morton Mandan Public Library is to provide the hub for community education, enrichment, and entertainment.

**Statement of Policy of the Board of Trustees  
Morton Mandan Public Library  
City of Mandan, ND 58554**

The objectives of the Morton Mandan Public Library are:

To acquire by purchase, gift, or loan, and by recording and production, relevant and potentially useful informational and cultural materials for the citizens of the community;

To organize these materials for efficient delivery and convenient access, furnish the equipment necessary for their use, and provide assistance in such use; and

To effect maximum use of these materials toward making the community a better place in which to live through aiding the search for understanding by its citizens.

The Board of Trustees shall write, and shall annually review policies to guide the library toward the accomplishment of those objectives.

The Board shall undertake such duties and consultations as it deems necessary and practical to guide the library toward accomplishments of these objectives.

Approved by Board of Trustees 7/24/2017

**By-Laws of the Board of Trustees  
Morton Mandan Public Library  
City of Mandan, ND 58554**

**Article I**

**Membership and Officers of Board of Trustees**

**Section 1:1 Appointment to Board**

The North Dakota Century Code authorizes that the merged library be governed by an equal representation from county and city. The Board carries legal responsibility for the library and is its legislative body. Board members are appointed by the Mandan City Commission. The City Commission shall appoint a Board of eight (8) Trustees for the public library. Three (3) members of the Board shall be residents of the City of Mandan, and three (3) members of the Board shall be residents of Morton County outside of Mandan city limits. One (1) member of the Board shall be a member of the City Commission or a designated representative of that body, and one (1) member of the Board shall be a member of the County Commission or a designated representative of that body. Members of the Board will serve a three (3) year term.

**Section 1:2 Reappointments**

No member shall serve for more than two (2) successive full terms and shall not be eligible for further appointment to the Board until one (1) year after the expiration of the second (2<sup>nd</sup>) term.

**Section 1:3 Vacancies**

The City Commission shall also fill any vacancy that may occur on the Board. A trustee appointed to fill a vacancy shall hold membership only for the unexpired term of the member creating the vacancy.

**Section 1:4 Removals**

If a Board Member misses three (3) consecutive meetings, the Board may, by and with the consent of the City Commission, request his or her resignation. The Board, by and with the consent of the City Commission, may remove any Trustee for misconduct or neglect of duty.

**Section 1:5 No Compensation**

No Trustee shall receive compensation as such, and no person shall be employed by the Board who is related either by blood or by marriage to any Trustee of the Board.

**Section 1:6 Officers**

The officers of the Board shall be President, Vice-President, and Secretary, who shall be elected by the Board from its own members at the regular meeting of the Board in July of each year. Each officer shall hold office until the next July or until his successor shall have been duly

elected and shall have qualified, or until his death, or until he shall resign or shall have been removed in the manner herein provided.

Any officer may be removed from office at any time on the affirmative vote of a majority of the Board of Trustees whenever, in its judgment, the best interests of the Board of Trustees will be served thereby.

Vacancies in offices, however occasioned, may be filled at any time by election by the Board of Trustees for the unexpired terms of such offices.

### **Section 1:7 Duties of the Officers**

#### **President:**

It shall be the duty of the president to call all meetings and preside at such, appoint special committees as needed, sign any documents as required by any entity of the local, state or federal government, and generally perform the duties of a presiding officer. The President shall sign all checks for the Board.

#### **Vice-President:**

In the absence or inability of the president to act, all duties of the office shall devolve upon the vice-president.

#### **Secretary:**

The secretary of the Board shall keep a true and accurate record of the proceedings of the Board and shall perform all other duties that the Board directs. The Secretary shall sign all checks for the Board. If the Secretary is unavailable to sign checks, either of the other officers of the Board may sign in his or her place. As backup, the City Administrator and the Mayor are authorized to sign checks for the Board.

Subject to the foregoing, the officers of the Board of Trustees shall have such powers and duties as usually pertain to their respective offices and such additional powers and duties specifically conferred by law, by these Bylaws, or as may be assigned to them from time to time by the Board of Trustees.

## **Article II**

### **Meetings of the Board**

#### **Section 2:1 Regular meetings**

Regular meetings of the Board shall be open to the public and held monthly at a day and time agreed upon by the Board annually at the July meeting. The July meeting shall be designated as the annual meeting.

**Section 2:2 Special meetings**

Special meetings may be called by the president, or by two (2) members of the Board, provided that notice be given to all Board members and the public at least twenty four (24) hours in advance of the special meeting. A special meeting will not be held in lieu of a regular meeting.

**Section 2:3 Quorum**

Five (5) members shall constitute a quorum for the transaction of business. Lacking a quorum, there will be no meeting; however, salaries and utilities shall be paid. In case of emergency, less than a quorum of members may attend a meeting electronically via conference telephone call or an online meeting site, if agreed upon by a majority of the other members in attendance and a quorum of the Board is physically present. All members so participating by means of conference telephone or similar communications equipment shall be deemed present at the meeting.

**Section 2:4 Order of Business**

The order of business shall always include the following items: Roll call, Approve Agenda, Approve Minutes of minutes of last meeting, Presentation of financial report and monthly expenditures, Unfinished business, New business (At the annual meeting, election of officers will be the first item of new business. Following the completion of the written agenda the new President will accept the chair, introduce any additional business, make such appointments as he or she deems necessary, address the Board if he or she so desires, and continue with item h), Director Report, Future Meeting Dates, and Adjournment.

The Director of the Library shall prepare an agenda for each meeting of the Library Board and make a copy available to each member of the Board of Trustees present at the beginning of each meeting.

Members of the public will be allowed three (3) minutes each to address the Board on library matters. No more than thirty (30) minutes may be spent on public comment. Subjects may be postponed to be included in the next meeting's agenda.

**Section 2:5 Attendance**

Failure of a member of the Board to attend fifty percent (50%) of the regular meetings through the year may constitute reason for replacement of said member by the City Commission.

**Article III**

**Executive and Special Committees**

**Section 3:1 Special Committees**

Special committees may be appointed by the president. Any special committee as may be appointed from time to time shall serve until a final report is made by the committee to the Library Board, at which time the committee disbands.

### **Section 3:2 Executive Committee**

If necessary, the president may call for the formation of an Executive Committee. Formation, terms, powers, meetings, quorums and reports will be at the discretion of the Board president.

## **Article IV**

### **Parliamentary Authority**

Roberts Rules of Order, latest revised edition, when not in conflict with these by-laws, shall govern the conduct of business of the Board.

## **Article V**

### **Duties of the Board**

1. Make and adopt such by-laws, rules and regulations for their own guidance and for the government of the library as may be expedient, and not inconsistent with applicable law.
2. Staff: Hire a competent and qualified Director of library. Board may for good cause, at any time, remove the director by a vote of the majority of the Board. Review the Director's organizational structure, identifying lines of authority and responsibility.
3. Policy: Determine and adopt written policies to govern the operation and program of the library. Determine hours of operation for the library.
4. Planning: In cooperation with Director and staff, develop a long-range plan for commitment of resources to meet the changing needs of the community.
5. Budget: Review the annual budget to determine its adequacy for meeting goals and objectives. Approve annual budget. Work actively for public and official support. Explore all possible revenue sources.
6. Finance: Review and approve monthly financial statements in context of the annual budget. Approve monthly expenditures. No non-budgeted appropriation shall be made, indebtedness incurred, or major agreements made without the majority vote of the Board.
7. Public Relations: Establish, support, and participate in a planned public relations program. Interpret the library's role and plans to other community boards and committees. Promote the mission of the library. Give notice of any Board meeting or committee meeting 24 hours in advance, in accordance with applicable law.
8. Library Legislation: Know local and state laws. Actively support state and national library legislation.
9. Advocacy: Report regularly to governing officials and the general public.

**Article VI**  
**Duties of the Director**

1. Be the chief executive and administrative officer for the library.
2. Staff: Act as technical advisor for the Board. Employ and supervise all other staff members in accordance with the city's personnel policy. Make recommendations on organizational structure to the Board.
3. Policy: Recommend and draft policies for Board action. Carry out adopted policies, delegating responsibilities to staff as needed. With the advice and consent of the Board, prepare written rules for the use of the library by the public.
4. Planning: Work together with Board and staff in preparation of a long-range plan by projecting community needs and trends in library service.
5. Budget: Prepare the annual budget draft to achieve objectives as identified with the Board. Supply facts and figures to aid in interpreting the library's financial needs. Attend budget hearings as a resource person.
6. Finance: Prepare and present monthly financial statements and bills for Board action.
7. Public Relations: Maintain an active program of public relations and public information. Represent the library on other community boards and committees.
8. Library Legislation: Know local and state laws. Keep Board informed of pending legislation, library trends, developments, and standards.
9. Advocacy: Report regularly to the Board, local government officials, the general public, and the State Library. Attend monthly Board meetings and special committee meetings as required by the Board.

**Article VII**  
**Employees of the Library**

Benefits for employees will be as stated in the City of Mandan's personnel policy (Title 4: Personnel Regulations & Benefits).

**Article VIII**  
**Indemnification**

The City of Mandan shall indemnify each trustee of the Board of Trustees against any and all liabilities incurred as trustees. The City shall purchase and maintain a good and sufficient policy of liability insurance for each of the trustees, individually, against any and all liabilities incurred as trustees.

**Article IX**  
**Law Controls**

It is the purpose and intention of the Board of Trustees that these Bylaws be consistent with all laws and statutes of the state of North Dakota. In the event any provision of these Bylaws is determined by the Board of Trustees, at a later date, to be inconsistent with the laws and statutes

of the State of North Dakota, then the laws and statutes of the State of North Dakota shall control and these Bylaws shall be deemed amended in accordance therewith and the inconsistent provision shall be deemed severed from these Bylaws. A determination that a particular provision is inconsistent with the laws and statutes of the State of North Dakota shall in no way affect the validity of any other provision and it shall not invalidate the remainder of the provisions of these Bylaws.

**Article X**  
**Amendment of By-laws**

These by-laws may be amended by a unanimous vote at any regular meeting of the Board when a quorum is present.

**Approved by Board of Trustees 7/24/2017**

**Updated 1/14/2019 & Approved 1/28/2019**

## Behavior Policy

Morton Mandan Public Library strives to provide the highest level of service to all library patrons. In order to foster an environment in which all patrons are able to use the library's resources, services and programs as effectively as possible, we require that all patrons comply with the following rules of conduct.

- The use of cell phones, pagers, and other communication devices is prohibited inside designated quiet areas and during classes or programs. In all other areas of the Library, cell phones and pagers should be answered promptly and conversations should be brief and carried on in quiet tones. If conversations cannot be conducted quickly, patrons are expected to move outside the building.
- The use of phones or other electronic devices to take photos or record video or sound is prohibited without prior permission of the Library.
- Patrons may not talk loudly or behave in a disorderly or disruptive manner. The use of profane or threatening language or other harassment of Library users or Library staff will not be permitted.
- Weapons are prohibited on Library property.
- The Library is a tobacco free facility. Smoking and the use of smokeless tobacco are not permitted inside the Library. Use of tobacco is allowed 50 feet from the building. Smoking is not allowed anywhere on the deck.
- Shirt and shoes must be worn inside the Library at all times.
- Selling, soliciting, panhandling, loitering, or sleeping on Library premises is not permitted.
- Petitioning inside Library buildings is prohibited. The circulation of petitions outside Library facilities may not impede the free access of the public to Library buildings and resources.
- Patrons are expected to abide by established time limitations for the use of public access computers and other equipment and must observe the library's internet use policy.
- Patrons should leave the Library promptly at closing time.
- Parents are responsible for the behavior of their children while they are on Library property. Children under ten years of age must be accompanied and adequately supervised by a responsible adult or caregiver. Older brothers, sisters, or caregivers under the age of sixteen are not considered adequate supervisors. (See Safe Child Policy)

- Patrons of any age with cognitive, physical or emotional impairments who require supervision should be accompanied by a parent or caregiver at all times.
- The teen and children's areas of Library facilities are designed for children, teens, their families and caregivers. Use of these areas by adults who are not parents, guardians, teachers or caregivers may be restricted to ensure that children, teens and their families have adequate access to the resources provided specifically for them.
- Animals are not permitted on Library property except when needed to aid persons with disabilities or used in conjunction with Library programs.
- Vandalism of Library facilities, equipment or materials will be prosecuted.
- Library materials must be properly checked out before being removed from the building.
- Any patron neglecting personal hygiene so that it is offensive and constitutes a nuisance to other patrons may be asked to leave Library property.
- Bathing, shaving, or washing clothes in public restrooms is not permitted.
- No personal items including but not limited to backpacks, duffel bags, suitcases, bedrolls, sleeping bags, or purses may be left unattended, or they may be turned over to the police. No excessively large bags are allowed in the building.
- The use of skateboards, roller blades or scooters is not permitted on Library property. Bicycles are not permitted inside the Library.
- Engaging in any illegal activity or behavior will be reported to proper authorities.

Library Management reserves the right to expel any person whose behavior is judged to be disruptive or inappropriate to the Library environment or prevents effective use of the Library by other customers.

Persons who fail to observe this code will receive a verbal warning from staff upon the first offense. If the conduct continues, the person will be asked to leave the building or will be subject to arrest. Staff members, at their discretion, may expel patrons and/or call the police without a warning. Failure to observe these rules may lead to revocation of Library use privileges, including the right to visit the Library or its grounds. Repeat offenders or persons ordered from the premises who do not comply may be subject to arrest and prosecution for trespassing. Anyone wishing to appeal their exclusion may submit an appeal in writing to the Library Director.

Approved by Board of Trustees 7/24/2017

## **Guest Use of Library Telephone Policy**

### **Purpose**

Library telephones are maintained by the Morton Mandan Public Library for library business only. However, there are situations where the public is allowed to use library telephones.

### **Need for Public Use of Library Telephone Policy**

The Library needs a policy that staff can employ when dealing with requests by the public to use the telephone since there are no coin-operated telephones for public use. Library staff must keep the telephone open as much as possible for conducting business and answering questions from the public.

### **Guidelines for Use**

- Valid reasons for use of the library phone by the public include:
  - Any emergency situation, such as the need for medical attention or the need for an ambulance or police.
  - Contacting parents or family members of patrons to inform them of injury or illness.
  - Children calling to be picked up from the library or to inform parent/guardian of the child's location.
  - Calling for transportation.
  - Any situation, which in the judgment of staff, is best resolved by initiating a phone call.
- The Library telephone may not be used for personal business, which includes, but is not limited to:
  - Using the telephone to place an order for personal items.
  - Placing toll-free or long-distance calls to other businesses, friends, or relatives.
  - Conducting personal business with the library's telephone.
  - Placing any call that is personal in nature.
- Patrons are reminded to:
  - Ask a library employee to use the Library's telephone.
  - Use only the phone at the Check-Out/Reference Desk.
  - Limit calls to two minutes.

Approved by the Board of Trustees 8/28/2017

## **Petitioners Using Outside Library Space General Policy/Guidelines**

As allowed by the First Amendment, any person can petition on public property but he/she must act in a reasonable manner without violating the rights of other citizens. Therefore, this policy outlines basic and reasonable content-neutral guidelines for petitioning on the library plaza.

A petitioner must not act in such a manner so as to hinder ingress or egress to the Library or to in any way intimidate, confront, or accost a Library patron entering or exiting the building. A petitioner shall not call out or shout to draw attention to the petitioner. All activity shall be conducted in a normal tone of voice, and the use of identifiable signage is encouraged.

Any petitioner utilizing a table and/or chair, which must be furnished by petitioner, shall be set up in an area that does not impede entry to or exit from the building from any direction. This allows direct access to Library patrons without blocking or impeding patron traffic flow.

Any standing petitioner (without the use of a table and/or chair) is free to move about. However, a petitioner must not solicit in an area that impedes entry to or exit from the building from any direction and, in order to preserve the quiet atmosphere within the Library, **must not petition anywhere within the building.**

Anyone violating this policy will first be warned by a Library staff member. If the conduct continues, the petitioner will be required to leave the premises and petition elsewhere. Petitioners must comply with all other applicable ordinances, laws, and regulations.

# Collection Management Policy

## Statement of Purpose

Effective democratic societies require that individuals have free and open access to information and ideas on all subjects. The Morton Mandan Public Library recognizes that, for many residents of the City of Mandan and Morton County, the public library serves as the primary resource for information access. The library actively integrates information and referral services, various interlibrary loan functions and collection management to provide the most efficient and timely delivery of information services.

## Philosophy of Collection Management

Central to the Morton Mandan Public Library's Collection Management Policy are the Library Bill of Rights and the Intellectual Freedom to Read Statement as adopted by the Council of the American Library Association. Materials, for the purposes of this policy, shall be defined as all print and non-print materials selected by the library for public use.

The Morton Mandan Public Library, governed by this policy and specified collection management procedures, shall select recreational and informational materials within the constraints of budget and physical limitations. The library will not attempt to collect either the most ephemeral of popular materials or the most esoteric of research documents.

Exhaustive collections designed to service the patron engaged in serious and extensive research are considered to be the province of the academic and special libraries in the area. Nonessential duplication of materials held by libraries in the Central Dakota Library Network will be avoided.

Professionally adequate information management also requires the timely removal of materials which have become dated or are for other reasons no longer considered suitable for retention. The removal of items from the collection shall be governed by this policy through the application of established collection management procedures. The disposition of library materials which have been removed on the basis of accepted professional practices shall be at the discretion of the Director.

## Responsibility for Collection Management

The responsibility for assisting in the selection of library materials belongs to every member of the staff. The ultimate responsibility for materials selection rests with the Director who operates within the framework of policies determined by the Board of Trustees and established annual budget.

The general public also has certain rights and responsibilities concerning the collections of the Morton Mandan Public Library. Library patrons may recommend specific titles for purchase by completing a written *Suggest a Purchase* form. Similarly, patrons may request the reconsideration of a title by completing a written *Request for Reconsideration of Library Material* form. Both requests for purchase and reconsideration will be given careful

consideration. The library will uniformly apply the standards and selection criteria developed in this policy and implemented through established procedures during any such review.

The Morton Mandan Public Library is cognizant of parental concern over the questions of suitability of reading matter for children and young adults. The library has established criteria and procedures for the general selection of materials for children and young adults; however, parents are the most capable judges concerning the contents of material and the reading and comprehension levels of their children. As a result, the library considers that the responsibility for those materials which individual children select must rest with the child's parents or legal guardians.

Donations are accepted by the Morton Mandan Public Library and are governed by the Collection Management Gift Policy.

### **Selection Criteria**

In considering which materials to place in the library, an attempt will be made to provide a diversity of viewpoints in all areas, including political, social, and religious. The library's selectors will not automatically include or exclude an item based solely on any of the following criteria:

- Race, religion, nationality, sexual orientation, age, gender or political views of the author
- Frankness or coarseness of language
- Controversial nature of item
- Endorsement or disapproval of an item by any individual or organization in the community

Each item will be judged on the basis of its overall content and style, not on the basis of any isolated or random portion.

Ideally, all publication in all media should be available to everyone. Because libraries are limited by budget and space, it is necessary to establish qualitative and quantitative standards to assist in the evaluation of materials to be purchased or accepted as donations.

Some criteria for selection of materials may include:

- Significance of subject matter (for nonfiction only)
- Accuracy, quality, authenticity (for nonfiction only)
- Sufficiency of scope (for nonfiction only)
- Presentation of diverse viewpoints (for nonfiction only)
- Current interest or relevance
- Acceptability of format
- Effectiveness of presentation
- Expressed or anticipated patron demand
- Favorable reviews in professional or popular media

- Scope and depth of present collection
- Continuation of a series already held
- Suitability of vocabulary and content for age (for Easy, Junior, and YA materials only)

Selection tools may include the following:

- Professional review media, such as *Publishers Weekly*, *Library Journal*, *School Library Journal*, *Booklist*, *Kirkus Reviews*
- Popular media, including newspapers, magazines, and broadcast programs
- Subject bibliographies chosen by specialists

### **Replacement Criteria**

Non-repairable damaged items, missing items (those six months or more overdue) and items lost and paid for by patrons should be evaluated for possible replacement, based upon the following factors:

- Currency
- Need for material in the subject area (for nonfiction only)
- Popularity of item
- Status as a classic on standard lists

### **Materials Not Collected**

Morton Mandan Public Library does not attempt to provide exhaustive collections for the serious researcher; these are considered to be the province of the academic and special libraries in the Bismarck-Mandan area.

Also excluded from consideration are items which require long-term usage in excess of the library's normal loan period and those materials which should be in school or academic libraries, including:

- Textbooks
- Curriculum-related items
- Professional materials, except for library and information science
- Those of interest only to one specific group
- Highly technical items

## **Weeding**

When damaged materials cannot be repaired, they must be discarded or "weeded." In addition, professional collection management dictates the timely removal of materials from the collection for other reasons.

Criteria for Weeding:

The decision to weed will be made on an individual, item-by-item basis, using the following criteria:

- Physical condition is beyond reasonable repair
- Library has an excess number of duplicate copies
- Edition is superseded
- Material is outdated
- Material is not being used or checked out (this is a consideration but not the only factor)

Besides aiding in the retention of a current and appealing collection, weeding facilitates effective use of available space and helps define categories in which additional material is needed. A systematic assessment of both the circulation and reference collections for weeding purposes will be done on a rotating basis. Periodicals will also be reviewed annually for retention or weeding when the next year's list is compiled.

The removal of materials on this basis will be guided by established collection management procedures. The disposition of materials which have been removed on the basis of accepted professional practices will be at the discretion of the director.

### **Criteria for Retaining Seldom Used Materials**

- Local author, setting, or topic
- Unique and/or out-of-print subject matter
- Famous illustrator or unique/unusual illustrations or photographs
- Prize winner
- Analyzed in standard index
- Considered primary source material in its subject
- Part of a series that is retained
- Reflects the mores of a particular time and place

### **Reconsideration of Materials**

If a patron objects to the inclusion of a particular item in the library's collection, he may question the reason for inclusion. Staff will explain the library's choice to the patron. If the patron continues to be dissatisfied, he shall fill out a *Request for Reconsideration of Library Material* and return it to the Library. The matter will be passed to the director for her review. If the patron is dissatisfied with the director's decision, he may appeal the decision to the Board of Trustees whose decision will be final. A form for reconsideration is appended to this policy and available to the public upon request.

### **Withdrawal and Disposal of Weeded Materials**

Items no longer useful or repairable are sent to the Technical Services Department for official withdrawal from the collection.

## **Confidentiality of Library Records**

The Morton Mandan Public Library Board of Trustees, in accordance with North Dakota Century Code, mandates that the Library's circulation and patron records be kept confidential. Any record maintained or received by Morton Mandan Public Library, which provides a library patron's name or information sufficient to identify a patron together with the subject about which the patron requested information, is considered private and is exempted from the public records disclosure requirements of NDCC 44-04-18 pursuant to NDCC 40-38-12. The Board designates the Library Director as the "Custodian of Records." Such records shall not be made available to any non-authorized individual or entity. Such records are not to be made available to any state, federal or local government agents except pursuant to such process, order or subpoena as may be authorized under the authority of, and pursuant to, federal, state, or local law relating to civil, criminal, or administrative discovery procedures or legislative investigative power. The issuance or enforcement of such an order or subpoena shall be resisted until a proper showing of good cause has been made in a court of competent jurisdiction. The library's officers will consult with their 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; if the process, order, or subpoena is not in proper form or if good cause has not been shown, they will insist that such defects be cured. The Library Director shall be the person to ultimately release the requested record.

The established procedure is, if a person, including a person of authority such as a law enforcement officer, approaches a library employee asking for personal information about a patron, the employee is not to divulge that information. Any such request should be referred to the Library Director, or if she/he is not available, her/his designee. Notwithstanding the provisions of any other law to the contrary, no library or employee or agent of a library shall be required to release or disclose a library record or portion of a library record to any person or persons except in response to a written request of the person identified in that record, according to procedures and forms giving written consent as determined by the library, or in response to an order issued by a court of competent jurisdiction upon a finding that the disclosure of such record is necessary to protect the public safety or to prosecute a crime. The Library Director, as Custodian of Records, will use her/his discretion as to how to respond properly to the request.

Approved by Board of Trustees 7/24/2017

## Copyright

It is the intent of the Morton Mandan Public Library Board of Trustees that the Morton Mandan Public Library complies with the U.S. Copyright Law (Title 17, *US Code*, Sect. 101, et seq). This policy represents a sincere effort to observe the copyright law.

Employees and patrons are prohibited from copying copyrighted works unless the action is authorized by (a) specific exemptions in the copyright law, (b) the principle of fair use, (c) the fair use guidelines, or (d) licenses or written permission from the copyright owner. Any other copying must be approved by the Library Director on a case-by-case basis.

The Library Director shall assure that the following copyright warning is displayed on or near copying equipment:

*Notice: The copyright law of the United States (Title 17 US Code) governs the copying of copyrighted materials. The person using this machine is liable for any infringement.*

Employees who willfully disregard the Library's copyright policy do so at their own risk and assume all liability, including the possibility of disciplinary action, for persistent copyright infringements. If the Library Director is aware of copyright infringements by an employee or patron, he/she shall take appropriate steps to stop the illegal actions.

## **Social Media Policy**

To reach out to all potential library users, Morton Mandan Public Library will maintain an online presence on social media sites such as Facebook and Twitter. Content on the library's Facebook page and other social media accounts will be maintained by library staff. 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 the MMPL, its employees, or its Board of Trustees. Postings on the personal accounts of library staff, Board of Trustees, or anyone affiliated with the library do not necessarily reflect the views and opinions of MMPL.

By joining, utilizing and/or posting on the library's social media sites, you agree to comply with this policy, and the MMPL's policy on Internet and Computer Use, as applicable.

### **1. Privacy**

- a. You should have no expectation of privacy in postings on library sponsored social media sites, and by utilizing these sites, you consent to the library's right to access, monitor and read any postings on the sites.
- b. Users of all ages have the responsibility to protect their privacy and should not post personally identifying information, such as last name, school, age, phone number or address. The library does not act in place of, or in the absence of, a parent.
- c. MMPL frequently engages in photographing and recording programs and events for its own publicity and promotional purposes. Library staff will make every effort to notify members of the public when filming and audio recording is taking place. Please notify a library staff member if you do not want to be photographed or recorded.

### **2. Ownership**

- a. 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. This permission ends when you delete your posting.

### **3. Postings**

The purpose of the library's social media accounts is to inform library users of educational opportunities, upcoming programs, and materials. The accounts will also be used to encourage discussion and the exchange of information about these programs, events, and materials between library staff and library users.

Examples of postings not permitted include, but are not limited to:

- a. Advertisements or spam
- b. Posts which contain obscene matter
- c. Disparaging, harassing, abusive, profane or offensive postings
- d. Postings that are hateful, threatening, pornographic, that contain graphic or gratuitous violence
- e. Potentially libelous or defamatory postings
- f. Postings which contain privileged, proprietary, or confidential information about any person, business, or entity, including, without limitation, patrons, vendors, the library or library partners

- g. Postings which violate or potentially violate local, state, or federal laws, including, without limitation, intellectual property and copyright laws
  - h. Postings which discriminate on the basis of race, color, religion, national origin, sex, handicap, age, sexual orientation, creed, or ancestry
  - i. 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
- 4. Policy Violations**
- a. Posts that the library deems inappropriate under this policy, at its sole discretion, may be removed in whole or in part immediately upon its discovery by the library without prior notice.
  - b. 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.

## Security Camera Policy

Morton Mandan Public Library uses security cameras to discourage violations of the library's code of conduct and to give both library users and staff peace of mind. If necessary, the cameras can be used to provide assistance to law enforcement when prosecuting criminal activity. The recording of audio is restricted under the Electronic Communications Privacy Act and will not be used. MMPL adheres to the applicable federal, state, and local laws regarding confidentiality of library records, disclosure of public records, and protection of individual privacy.

### 1. Placement of cameras

- a. Cameras are installed in the library and on library property on an as-need basis.
- b. Cameras are placed throughout the building to give library staff the ability to monitor activity throughout the building.
- c. Cameras are installed in public spaces where individuals **lack a reasonable expectation** of privacy. These areas include common areas of the library such as the entrance, shelves, meeting rooms, public seating areas, and the parking lot.
- d. Cameras are not installed where individuals **have a reasonable expectation** of privacy, such as the restrooms.

### 2. Access

- a. Library staff periodically monitor activity throughout the building in real time.
- b. Recorded footage is confidential and stored in a controlled area.
- c. Access to archived footage when relating to documented incidents of criminal activity or violations of the library's code of conduct is restricted to library staff only.
- d. Access is also allowed to law enforcement when applicable to a subpoena, court order, or other instance required by law.
- e. In emergency situations that present imminent risk of danger or harm, law enforcement may gain access without a court order. In such situations, the requesting officer will be asked to provide their name, agency, badge number, nature of the emergency, and extent of footage requested.
- f. In situations that involve extreme violations of the library's code of conduct, stored video or images may be shared with other libraries in the CDLN network.

### 3. Guidelines

- a. Signs are posted at all entrances informing the public and library staff that security cameras are in use.
- b. Because security cameras are not constantly monitored, library users should take precaution for their own safety and theft of personal property. The library is not responsible for any theft that occurs in the building or on library property.
- c. Cameras are not installed for monitoring staff performance.
- d. In any threatening situation, the safety of library staff and users is the first priority. Safety of library materials is of secondary importance.
- e. A copy of this policy may be shared with the public upon request.
- f. As the memory for the security cameras fills, old footage is recorded over by newer footage.

## **Facilities**

### **Physical facility of the Library**

The library, as a public institution, is committed to providing a clean and welcoming environment for both the general public and the staff. Patrons are expected to help maintain this environment. The facilities will comply with the "Americans with Disabilities Act." Reasonable accommodations will be made to serve the needs of library users. If necessary, staff assistance will be provided.

The library is a tobacco free facility. Tobacco use is prohibited in all interior areas of the library. Use of tobacco is allowed 50 feet from the building. Tobacco use is not allowed anywhere on the deck.

## **Fees**

Fees may be applicable, at the discretion of the Board of Trustees of the Morton Mandan Public Library, for services which may include:

- Providing a service that incurs an additional cost to the Library with each use, such as materials for programs
- Providing Library facilities and staff to outside organizations
- Providing use of equipment, such as photocopiers, computer printers, fax machines, scanners, etc.
- Providing new services for which funding is not otherwise available
- Providing certain popular and high-demand material
- Other materials and/or services at the discretion of the Director or Board of Trustees.

## **PROCTORING POLICY**

Exam proctoring is available at the Morton Mandan Public Library. Proctoring is available to any area residents. Students in need of proctoring are not required to have a library card with MMPL or any other CDLN member library.

### **1. Set-up**

- a.** It is the student's responsibility to activate the proctoring requirements and coordinate the test procedures with their respective college or school.
- b.** It is the student's responsibility to ensure that their laptop has any programs required by their college installed and ready at the time of the exam.
  - i.** The library's laptop has Exam Guard installed and may be used for the exam, with prior notice.

### **2. Scheduling**

- a.** 3 days advance notice preferred for scheduling; contact Sarah Warneke. Walk-ins are not accepted.
- b.** Proctoring is not available on weekends.
- c.** Proctoring is available after 5pm on Thursdays only.
- d.** If the student is unable to take the test on the scheduled day, s/he must call before the test time and reschedule.

### **3. Fees**

- a.** There is a \$10 fee per test, payable day of test. If multiple tests are being taken consecutively on the same day, the fee is a flat \$10.
- b.** Cash or check only. The library is unable to accept card payments of any sort.

## **Friends of the Library Organization**

### **General Statement of Support**

The Board of Trustees of the Morton Mandan Public Library recognizes the need for community involvement in providing quality library services and accepts the philosophy that a Friends of the Library group is highly desirable since it provides an excellent bridge between the library and the community.

The Board encourages the organization of a Friends of the Library group.

Friends of the Library should develop and enact by-laws and should be self-supporting.

Proceeds from programs and projects should be devoted to library improvements developed by the Friends of the Library, Board of Trustees and staff.

The Library Director or Director's delegate is the liaison to the Friends of the Library group.

Officers of the Morton Mandan Public Library Friends of the Library may not be on the Library's staff or a member of the Board of Trustees.

The Director and staff of the Library are available to offer assistance and guidance to the Friends of the Library.

## **Gifts to the Library**

The Board of Trustees of the Morton Mandan Public Library actively encourages gifts and contributions that will help the Library better serve the needs of the community. All donations and gifts are subject to applicable North Dakota statutes as well as the Library's existing materials selection policy. The cost of processing, availability of space and the physical condition of the item are also factors in the acceptance process. The Library, through the Board or the Board's delegated authority, makes the final decision on the acceptance of gifts and also reserves the right to decide any conditions of recognition, display, housing, and access. The Library is granted unconditional ownership of each gift. In all instances, the Library reserves the right to utilize gifts as it sees fit and to dispose of gifts deemed to be no longer suited for or needed by the Library.

### **Acceptance of Gifts**

Gifts to the Morton Mandan Public Library are tax-deductible.

#### *Gifts of Books and other library resources*

The Library Director is authorized to act for the Board in accepting or declining offers of gifts in the form of books, recordings, and other library materials or resources. The Library Director, in accordance with existing materials selection policies, may exercise discretion concerning which materials shall be retained for the Library's collection and which will be sold at the Friends of the Library book sale. The Library Director will decide whether use of gift recognition plates is appropriate.

#### *Monetary Gifts*

Donations of money are welcomed. Unrestricted gifts are encouraged so that contributions can be used in ways that best support the Library's strategic plan and the needs of the community. The Library will consider the wishes of donors when accepting restricted gifts. When the Library receives a cash gift for the purchase of materials or other resources, whether as a memorial or for any other purpose, the general nature of subject area of the item(s) to be purchased may be specified by the donor. Selection of specific titles, however, will be made in accordance with the needs and selection policies of the Library. Monetary donations can also be made to the Mandan Public Library Endowment Fund through the North Dakota Community Foundation.

#### *Gifts in Kind*

Gifts of furniture, art, statuary, other tangible personal property, and professional services may be accepted or declined by the Board with advice and counsel from the Library Director. Any conditions attaching to the proposed gift will be considered by the Board. Any conditions which

the Board regards as inappropriate or impractical may provide basis for rejection of the gift or further negotiation with the donor.

#### *Gifts of Securities*

Marketable securities received by the Library as gifts may be accepted by the Board. Such securities will be sold as soon as practicable at the market rate. The net proceeds of unrestricted gifts may be used as recommended by the Board. The net proceeds of restricted gifts will be used as directed by the donor, subject to North Dakota statutes, the policies outlined herein, and other relevant Board policies. The acceptance of gifts offered to the Library consisting of securities that are not readily marketable will be considered by the Board.

#### **Valuation of Non-monetary Gifts**

Neither the library staff nor the Board will issue a written or verbal statement to the donor regarding the deemed value of non-monetary gifts. If a donor is in need of an appraisal, an independent, qualified appraisal may be initiated by the prospective donor and at the donor's expense. The Library Director may provide, on request, a letter of acknowledgement to the donor describing the gift and its apparent condition or a receipt for items received.

#### **Recognition of Gifts and Service to the Library**

##### *Written acknowledgement*

The Library shall provide prompt written acknowledgement to donors of all gifts, including the amount of all monetary gifts. In the case of a memorial or honorarium, an acknowledgement shall be sent to the honoree or the family of the memorialized person, if applicable.

##### *Designated Contributions*

For a significant item given or for substantial monetary contributions designated for a specific purpose/item, a special placard of uniform design and size will be placed on the item. Wording might be, "Given by (or in memory of) \_\_\_\_\_." These placards will be placed for contributions made either to the library or the Friends of the Morton Mandan Public Library for a specific purpose. Any items, furniture, furnishings, etc. given to or purchased for the library will be used and eventually disposed of at the discretion of the Library Director and the Board of Trustees.

## **Holidays**

Morton Mandan Public Library will observe and be closed on the following holidays:

- New Year's Day
- Easter Day
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day
- Christmas Eve
- Christmas Day
- New Year's Eve (half day)

If library employees work a holiday that the City of Mandan is closed (Martin Luther King Jr. Day, President's Day, Good Friday, and Veteran's Day), then they will earn vacation leave at time and a half for hours worked.

## **Internet Access and Computer Use Policy**

### **GENERAL STATEMENT ON INTERNET ACCESS**

The Morton Mandan Public Library (“MMPL” or “Library”) provides computers and public access to the Internet in support of its mission to provide the hub for community education, enrichment, and entertainment, and to affirm its commitment to the principles of intellectual freedom as expressed in the Library Bill of Rights. Internet resources are provided by MMPL equally to all of its patrons.

### **USE OF TECHNOLOGY PROTECTION MEASURES**

The Library employs technology protection measures (Internet filters) through the North Dakota state network on all of its computers with Internet access. As required by the Children’s Internet Protection Act (CIPA), blocking is applied to visual depictions of materials deemed harmful to or inappropriate for minors, and to maintain the safety and security of minors utilizing the Internet. Be aware that filtering does not block all sites that a patron may feel are offensive and does block some sites that are valid and inoffensive. Filtering software may be temporarily disabled by library staff for patrons 18 and older to gain access to a blocked site, provided the site does not violate other terms of this policy. Patrons under the age of 18 *must* use filtered Internet access.

### **MINORS AND THE INTERNET**

Parents/legal guardians, not the Library, are responsible for the Internet information accessed by their children. Only parents/legal guardians may restrict their children’s access to Internet resources through the Library. Parents should realize that filtering software does not block all material that they might feel is inappropriate for their children and can block material that is valid and not offensive. It is the responsibility of parents to discuss with their children what types of sites they feel are appropriate for them. This includes access to electronic mail and various forms of social media. Parents should also discuss general Internet safety guidelines with their minor children.

### **PRIVACY AND CONFIDENTIALITY**

To ensure patron privacy and the confidentiality of library records pursuant to NDCC Section 40-38-12, the Library shall not disseminate personally identifiable information about any library user or records regarding their use of the library except in response to a court order or subpoena. All Library computers are restarted after each individual use. Upon restart, any data saved on the computers is deleted, and the computers revert to default library settings. Patrons should log off any personal online accounts after using library technology.

### **LIABILITY**

Because of the vast scope and diversity of information accessible via the Internet, the Library accepts no responsibility for: the accuracy of information found online; debts incurred by users from for-pay services through the Internet; damages resulting from loss of connectivity; breaches of personal data; and exposure to malware. It is the responsibility of users to follow local, state, and federal laws and regulations, including copyright law, while utilizing MMPL computers and its public access to the Internet.

## GUIDELINES FOR ADULT COMPUTER USE

In order to use public access computers, a patron must possess a valid MMPL card or a card from another Central Dakota Library Network (CDLN) library. A parent or guardian must sign the library cardholder agreement for a child under the age of 18 if internet access is desired.

Unpaid fines/fees can result in restriction of computer privileges. Computer registration is blocked once a user owes \$10 or more in fines or fees. If a patron owes \$10 or more in fines or fees, then they can pay \$1 towards their fines/fees and receive a guest pass for that day. This allows patrons to pay down their balance a little at a time while still allowing computer access.

Persons without a valid library card may show identification to obtain a guest pass granting them three hours of computer usage on the day it is obtained. Guests will be allowed to use the public computers three times free of charge before being expected to apply for a non-resident library membership for a \$25 fee.

All Internet users agree to adhere to the MMPL Internet Policy and to any “appropriate use policy” of the library’s current Internet service provider. Failure to follow policy will result in loss of use of the MMPL Internet connection.

### Rules of Use:

1. User must sign on to the library’s network with his/her library card or guest pass. Guest passes must be obtained at the Service Desk by showing a photo ID and agreeing to this policy.
2. Use of computers is on a first-come, first-served basis. User will be limited to 180 minutes (3 hours) of usage per day; however, a time limit of sixty minutes (1 hour) may be imposed when all of the computers are in use and patrons are waiting. Library staff will attempt to ensure that all library users have fair access to the computers.
3. There is a limit of two people at a time on the terminal.
4. Public computers are normally available whenever the library is open, subject to periodic maintenance.
5. Printing is available in black and white only for a fee of 20 cents per page. Double-sided printing is not available. Printing is not available from mobile devices. \*Using the “Print Preview” function can avoid unwanted printouts.
6. No personal files or software may be saved on a library computer.
7. Instant messaging systems may not be installed on library computers.

8. Patrons may send or receive electronic mail by means of web-based mail providers.
9. Programs from the Internet may not be downloaded to the library computers. Patrons may download information to personal USB drives. Personal documents will not be saved on the library's computers.
10. Other than personal CDs/DVDs, USB drives, or headphones, personal equipment may not be used on library computers.
11. Library computers may not be used for selling or advertising for commercial enterprises.
12. Computers will automatically shut down 15 minutes before the library closes. Computers must be vacated by 15 minutes before closing time. Printing must be completed by that time. Computer use hours are: Monday-Thursday 9:30 AM – 8:45 PM; Friday-Saturday 9:30 AM – 4:45 PM; Sunday 1:00 PM – 4:45 PM.
13. Failure to use the Internet appropriately, responsibly, and legally will result in the revocation of Internet use privileges. Determination of what constitutes abusive conduct will be left to the discretion of the library staff.
14. Unacceptable use of the computers includes, but is not limited to, harassment of others; libel; slander; destruction of or damage to equipment, software, or data belonging to the library; unauthorized monitoring of electronic communication; and unauthorized copying of copyright-protected material. See below for additional information on unacceptable use of library computers.

#### UNACCEPTABLE USE

Using Library computers in an unacceptable manner is prohibited. Examples of unacceptable use includes, but are not limited to:

- Use of Library computers/printers to display or disseminate obscene material (NDCC 12.1-27.1-03.1)
- Damaging or attempting to damage computer equipment
- Interfering with MMPL systems operations, integrity, or security
- Engaging in activities deemed unlawful according to local, state, and federal law
  - \*Please note: File sharing of copyrighted music/digital content can be illegal
- Violation of another user's privacy or interfering with his/her peaceful use of computers, i.e. talking loudly with other computer users or talking on a cell phone while using computers (see MMPL's Behavior Policy)
- Violation of software license agreements and copyright laws
- Use of sounds or visuals that might be disruptive to others
- Not paying for computer printouts

Unacceptable use of the public computers will result in the loss of computer privileges for a period determined by the Library Director based upon the severity of the infraction. A patron who is observed using a computer in an unacceptable manner may be subject to:

- Ending the computer session for the day
- Temporary suspension of computer use privileges

- Permanent suspension of computer use privileges based on repeated violations
- Notification of appropriate law enforcement officials if it appears that a violation of state law or City Ordinance has occurred.

## WIRELESS NETWORK ACCESS

The Library provides a separate Wi-Fi network, “Library Guest,” for personal computer and mobile device connection. This is an open Internet connection, with no protection or filtering. All security is the responsibility of the user. This wireless network is filtered in compliance with the federal Children’s Internet Protection Act (CIPA) mandate. All policies regarding legal and acceptable use of the Internet apply.

## PERSONAL EQUIPMENT USE

Laptop computers and other electronic devices may be used in public areas of the Library if their use is not disruptive to others and if electrical cords are not a danger to users by trailing across aisles or creating other obstacles. MMPL is not responsible for damage incurred to a patron’s personal electronic device or personal laptop or for any loss of data, damage or liability that may occur from patron use of the Library’s Internet services.

Video and audio recording and the taking of photographs may be done inside the library only with the permission of the person being recorded or photographed.

Abuse of this policy may be grounds for dismissal from the Library by library staff.

## STAFF ASSISTANCE

Library staff cannot provide in-depth training concerning Internet or computer hardware or software usage. Staff may offer searching suggestions and answer some questions, however will not be available to provide extensive assistance. Patrons may also request individual training or attend free technology-related computer classes offered by MMPL staff. Due to liability, staff is not allowed to handle a patron’s personal laptop computer or other computing devices; repair personal computers or devices; or check personal systems for viruses, malware or other damages to a personal computer or device.

**Remember: Public computers are not private or secure. Public computers cannot be modified for individual use.**

**By signing a MMPL library card application or obtaining a guest pass, user agrees to abide by these rules.**

Approved by the Board of Trustees 8/28/2017

## Lending Policy

Morton Mandan Public Library reserves the right to limit the quantity of materials loaned to patrons as materials are being checked out based upon limitations listed below and the availability of materials in a particular collection.

Generally, with the exceptions noted, Morton Mandan Public Library asks that patrons limit themselves to the number of items they may reasonably use in the loan period. Patrons may check out up to 25 total items on their MMPL card at any time which includes up to 5 videos, audios, or DVDs at any given time. Items borrowed from other Central Dakota Library Network (CDLN) libraries are subject to the lending rules of the libraries from which they came. In addition to the 25 item limit, patrons may have 5 eBooks checked out on an electronic device at any given time.

### Loan Periods, Fines, & Limits:

Item	Loan Period	Overdue Fees	Amount Per Card
Books	30 days	10 cents per day	25
Audiobooks	30 days	10 cents per day	5
DVDs	7 days	50 cents per day	5
Magazines	7 days	10 cents per day	
Children's holiday books	7 days	10 cents per day	25
High demand items*	14 days	10 cents per day	25
Special Reference Items	3 days	10 cents per day	25
eBooks & eAudiobooks	14 days	Returned automatically	5
State Park passes	7 days	10 cents per day	1
Items checked out on bookmobile	35 days	See above for specific item types	25

\*High demand items include any items having four or more requests.

### Renewals:

- Most items renew for two (2) weeks.
- DVDs renew for one (1) week.
- When the library is closed or bookmobile stops are cancelled due to mechanical problems or inclement weather, items due will be renewed. The bookmobile will not run if school is cancelled due to inclement weather. MMPL closures and cancellations will be announced on local news outlets, website, and Facebook page.
- You may renew in person, online using your PIN, or by calling the library at 667-5365 or 1-800-260-4291.

- Materials may be renewed twice as long as there are no reserves on the items. Holds may be placed on any item in the Consortium Catalog as long as a patron's account is in good standing.

Temporary limitations may be placed on materials when the demand exceeds the ability to fill requests. Examples of types of materials that may be limited are:

- Materials relating to class assignments
- Materials on one subject
- Current book award nominees
- Holiday materials
- Duplicate copies of the same title
- New items: up to 60 day restriction for placing holds

All materials checked out on a patron's card are the responsibility of the patron, including responsibility for loss or damage.

## **Requesting Materials**

### **Borrowing from Central Dakota Library Network Libraries**

The majority of Morton Mandan Public Library's items can be requested to be on hold for you at the library through our online library catalog, or over the phone at 667-5365 or 1-800-260-4291. Our library catalog shows items from all CDLN locations which may be requested to be delivered to the Morton Mandan Public Library or the bookmobile. You can request as many as 15 items on one account at one time. If you are requesting MMPL items that are checked in, please allow at least 24 hours for those items to be retrieved and ready for the hold shelf.

### **Borrowing from Other Libraries**

If you cannot find the item you are looking for in our library catalog, MMPL provides Interlibrary Loan (ILL) services for our current cardholders who have a library card in good standing with overdue fines of less than \$10.00. A patron may have up to five active requests at one time. Active requests include those on loan as well as those in process.

## **Lost & Damaged Items**

Patrons will be charged for the cost of any items that are not returned to MMPL, or are returned damaged, plus a ten dollar processing fee. If items are not paid for promptly, a pre-collection letter is sent to all patrons owing \$50 or more (for any charges). Patrons not responding within

14 days will be turned over to the collection agency. Any act of good faith is accepted, and the account will not be turned over in that case.

### **Notifications**

If patrons have overdue items or items on hold, they can choose to receive notices via standard mail or email. If a patron receives notices via email, they will also receive reminder notifications in addition to your regular mail or email notices. Contact the library at 667-5365 or 1-800-260-4291 if you would like to change the way you receive notices or if your contact information changes.

MMPL strives to be careful in checking in all items that are returned to us; however, mistakes can occasionally happen. IF you think you have returned an item, but you continue to receive overdue notifications for the item, please contact us to claim it returned. We will check our shelves to see if we missed checking it in. If the item is not found, we will renew the item (insofar as it can be renewed) for you, and you will have until the end of our billing cycle to return it before a replacement charge is applied to your record.

### **Denial of Service**

Patrons will be denied use of the services of Morton Mandan Public Library and Central Dakota Library Network, including the use of public computers, for the following reasons:

- Failure to return or pay for borrowed materials that are ninety days overdue, provided the value of the materials is \$10.00 or more
- Failure to pay fees for damaged materials, provided the amount is \$10.00 or more
- Failure to pay for any outstanding fines that equal \$10.00 or more

If the patron with overdue materials or fines/fees is under the age of 18, a hold will also be placed on the card of the parent or legal guardian who accepted responsibility for items checked out on that card.

### **Stolen Materials**

Library materials stolen from a patron remain the responsibility of the patron. A receipt may be offered to the patron for insurance purposes. The library reserves the right to purchase new materials rather than replace the exact item that was stolen.

### **How to Pay**

#### **By mail:**

Send a check, payable to:     Morton Mandan Public Library  
  609 West Main Street  
  Mandan, ND 58554

**In Person:** Visit the library's main checkout desk. Cash or check are accepted.

## **Video Loan Policy**

It is the policy of Morton Mandan Public Library that all video recordings, regardless of MPAA rating, may be borrowed by any patron, regardless of age, who holds a valid library card.

However, parents may request that their child not be allowed to borrow R-rated videos by completing a Video Loan Form. A notation will be placed on the child's card account. Library staff will then permit the child to borrow only G, PG, PG-13, and unrated videos (typically these items are TV series, PBS films/shows, and BBC films/shows).

In the case of a child for whom a Video Loan Form has been filed, the restriction will expire upon the child's 18<sup>th</sup> birthday.

## **Library Card Policy**

Permanent residents of Morton County may obtain a library card without charge. Proof of residency with current name and address and a photo identification are required at time of application. Residency is considered a permanent address verified by valid North Dakota Driver's License, tax receipt, utility bill, rent agreement or receipt, settlement statement, piece of official cancelled mail (example: bank statement), etc. Mail received at the address of a non-residential building is not acceptable (this includes PO boxes). Non-residents who own property within the county may obtain a free card when presenting a recent tax receipt for that property.

Parents or legal guardians may obtain a library card for their children under the age of 18. Proof of identification, guardianship and address are required. Parents will be responsible for all materials checked out on their child(ren)'s card(s).

Individuals residing outside of Morton County may obtain a non-resident library card for an annual fee of \$25.00 per household. Multiple cards for family members in that household may be issued. This fee will give access to all library services. Morton Mandan Public Library (MMPL) is part of the Central Dakota Library Network (CDLN). MMPL cardholders may use their library card at any CDLN member library and vice versa.

Materials may be borrowed only with a valid library card or by showing photo identification. Use of a library card signifies acceptance of responsibility for materials borrowed on that card.

## **Lost Materials**

The library maintains a Lost & Found area. After one month, personal items not claimed will be discarded or given to local charities.

Library materials lost by a patron remain the responsibility of the patron. The library reserves the right to purchase new materials rather than replace the exact item that was lost.

## Meeting Room Policy

The purpose of this policy is to insure an orderly, peaceful and efficient use of library meeting rooms and equipment so as to accommodate and provide equal access to as many not-for-profit groups and organizations as is reasonably possible.

The Director or other designated library staff members shall schedule or reserve meeting rooms in accordance with the following regulations. It is the policy of the Board of Trustees to allow use of the Library meeting rooms when the facilities are not needed for Library sponsored activities and events, or for activities and events sponsored by the Friends of the Morton Mandan Public Library. The Board of Trustees shall have the final authority in granting or refusing permission for use of the rooms where conflicts arise between the proposed use of the library meeting room and regulations outlined below.

1. Meeting rooms are available for use during library operating hours daily.
2. Meeting rooms are available free of charge to non-profit groups and organizations whose membership is composed primarily of residents of Morton County. **Private social gatherings are prohibited.** Children's or teenage groups may use the meeting room(s) provided they are supervised by adults. The ratio of 1 adult per every five (5) children under the age of eleven (11) or 1 adult for every ten (10) youth aged eleven to eighteen is required. The adult supervisor and the organization he/she represents will be responsible for any damage to the library or its furniture, fixtures, or equipment. Such use by community organizations and groups may not disrupt the orderly conduct of the Library, its programs or activities.
3. Applications for the use of a meeting room must be made in writing to the Director of the Library or to members of the library staff who have been assigned responsibility for scheduling such meetings. A form is provided by the library for this purpose. Applications shall be made at least one (1) week in advance and no longer than one (1) year prior to the scheduled meeting. Scheduling is made on a first come, first serve basis. Prior use of the Library meeting room does not entitle any group or organization to future use. A completed application form and any necessary deposit are required before a meeting is scheduled. The Library reserves the right to revoke or modify permission to use the meeting room and to modify conditions imposed on the use of the meeting room when necessary to adapt to the operational needs of the Library or its users.
4. Permission to use the meeting room is revocable and does not constitute a lease.
5. Morton Mandan Public Library sponsored programs shall receive priority in the event of a scheduling conflict. Organizations engaged in educational, cultural, intellectual or charitable activities may reserve meeting rooms for dates up to 6 months in advance. Individuals may arrange spot-use of meeting rooms as scheduling and availability permit, provided all other provisions of this policy are met.
6. Groups may not, in advance, excessively book a meeting room. The Library shall determine what is excessive based on time and day requested, and intervals between meetings. Generally, a group may not book a meeting more than one day a month, except with permission of the Library Director.

7. Meetings shall be open to the public, except that a public governmental body may hold a closed session pursuant to the provisions of North Dakota Century Code Chapter 44-04. Normally fees or collections may not be charged. Programs conducted by educational institutions, including the Morton Mandan Public Library, may pass charges for tuition, supplies, or refreshments on to the registrant. Due to the public nature of meeting rooms, booking requests shall not be protected as a library circulation transaction, but treated as public documents.
8. Facilities may not be used for commercial purposes, (i.e., sale of goods or services, executing fee-for-service agreements, or securing contracts of commitment to services provided elsewhere). Commercial programs listed or presented as informational, educational, or instructional must remain so, and presenters shall make no direct solicitation of attendees to secure clients or customers for their commercial purpose.
9. Purposes, objectives, or views of groups or organizations using library meeting rooms shall in no way be announced, advertised, or displayed so as to suggest that the organization, its mission, beliefs, or purposes are endorsed by the Morton Mandan Public Library.
10. Meetings must be conducted in a quiet, orderly manner.
11. All Library facilities are smoke-free and the use of tobacco products is prohibited.
12. Light refreshments may be served in the meeting room. No cooking is allowed. Punches should not include red or purple fruit juices or ice cream/sherbet. No alcoholic beverages are allowed. A deposit of \$100 in the form of a check is required if refreshments are to be served. The deposit will be returned to user if the room is left clean and orderly. Users shall be assessed for damage to, and excessive cleaning of meeting rooms. Trash receptacles will be provided in the meeting room. The group is responsible for cleaning up any spills and disposing of all trash in the available receptacles.
13. No materials, equipment or furniture belonging to these groups may be stored or set up outside the reserved meeting space. Morton Mandan Public Library will assume no responsibility if materials, etc. are left on the premises. Nothing is to be taped, tacked or stuck to the walls, doors, windows, or ceilings of the meeting room or any part of the library.
14. Classes in handicrafts involving paint or other related materials are permitted, however a \$100 deposit in the form of a check is required in advance. The deposit will be returned to the user if the room is left clean and orderly. Demonstrations will be permitted provided proper care is taken to protect library property, including tables, chairs, equipment, walls, ceilings and carpeting.
15. No signs, displays, decorations or exhibits may be attached to the doors, walls, windows or ceilings of the meeting room(s) or library.
16. Access to library-owned equipment/furniture may be limited by availability, staffing, or type of equipment required. Organizations desiring to use library-owned equipment/furniture in a meeting room should request permission for its use when applying for the meeting room. Organizations using such equipment/furniture assume full responsibility for any damage to same while it is in their possession. Organizations must provide a qualified operator for any special equipment used. Use of electrical and other equipment must conform to normal fire and safety standards. The group or organization is responsible for setting up the meeting room, using the tables and chairs provided by the

Library, and for breaking down the setup at the end of the meeting. No setup can begin until the previous program has exited the room. Library personnel are not available to assist in the setup or breakdown. The room must be left in the same condition in which it was found.

17. A sign stating the maximum capacity of the room, as determined by the Fire Marshal, shall be posted in the room. Groups and organizations must comply with the posted capacity. At any program or event where the attendance is anticipated to be near capacity, a maximum attendance must be stated and advance registration required.
18. In accordance with the library's Safe Child Policy, parents may not leave children under the age of 10 unattended while using meeting room facilities.
19. If the Library closes due to inclement weather or other emergency, the meeting room will not be available for the scheduled use. In such instances, Library staff shall make their best effort to contact the person who scheduled the use of the facility in a timely manner and notify him/her of the cancellation.
20. Any group or organization that has scheduled use of the meeting room and subsequently determines that use is no longer needed shall notify the Library of the cancellation in a timely manner, hopefully 24 hours prior to the scheduled use.

## Personnel Policy

The Morton Mandan Public Library is considered a department of the City of Mandan government, and its staff members are City employees. The Board of Trustees of the Morton Mandan Public Library affirms that Library staff is governed by the personnel policies of the City of Mandan. City personnel policies are included in the City of Mandan Title IV: Chapters 7 and 9\*.

It may be necessary for the Library and Library Board to develop additional policies or guidelines for the Library that address specific concerns arising from the nature of the Library as a public facility open seven days per week or from other situations not directly covered in the City of Mandan Title IV: Chapters 7 and 9.

Any time a Library policy or guideline is construed to conflict with City personnel policy, City policy takes precedence.

**\*Exception: When a Library employee works a Holiday when the City of Mandan is closed, the employee earns vacation leave at 1.5 hours for each hour worked on that Holiday.**

## **Posters, Flyers and Public Information**

Morton Mandan Public Library will post information/literature regarding charitable, cultural, educational, recreational, religious, or human services programs or community-related events which are available/open to the public at large.

The library does not evaluate the beliefs or purposes of the sponsoring organizations and posting information does not imply endorsement by the Library of any group, their ideals or programs.

Basic policies:

- Because of space limitations, priority will be given to library posters, flyers, and information.
- The appearance and content of a notice must be appropriate for the location in which it will be posted and for viewing by all ages.
- The library does not post political campaign posters or literature or material relating to activities undertaken for individual gain or commercial profit.
- Permission to post material must be requested in advance of posting. Posting will be done by library staff.
- Generally, notices will not be posted for longer than one month and will be removed after the date of the event by library staff.

## **Safe Child Policy**

No child under the age of ten (10) shall be left unattended while in the library.

Parents are responsible for their child(ren)'s behavior in the library. Children will be expected to behave in a manner that does not disrupt library services to others. When a child's behavior is disruptive, staff members shall talk with the child and/or parent/caregiver of the child about the behavior. If the disruptive behavior does not stop after two warnings, the staff shall ask that the child leave or be removed from the library. The staff shall obtain the name and telephone number of the responsible parent/caregiver so he/she may be called to pick up the child. If the staff member is unable to reach the parent/caregiver, then the staff member shall place a second call within thirty (30) minutes to attempt to reach the parent/caregiver.

Morton Mandan Public Library and its staff shall not be liable for children left unattended in the library or on its property. For the child's safety, a parent or responsible caregiver should accompany children while in the library.

If a child under the age of 18 has not left or been picked up from the library by a parent/caregiver by closing time, the staff shall obtain the name, address and telephone number of the responsible parent/caregiver so he/she may be called to pick up the child. If the staff member is unable to reach the parent/caregiver within ten minutes after closing, she will ask the child for the name of a local relative who might be contacted to pick him/her up. When all attempts to contact a responsible adult have failed, the staff member shall call the local police to pick up the child.

As a safety and liability precaution, a staff member is not, under any circumstances, to give a child a ride home in her/his automobile.

## **Guidelines for Determining Neighborhood Bookmobile Stops**

The bookmobile operates two schedules per year:

- 1) School year (September – May)
- 2) Summer (June – August)

We review our schedules periodically and stops may be added and/or terminated at the beginning of one of these schedules. The schedules are laid out to be as logical and fuel-efficient as possible. Our choice for a bookmobile stop is decided by various factors including distance from library and population of neighborhood. All stops must be within the boundaries of Morton County.

When adding a new stop, the following considerations will be made:

1. Where there are new growth in housing and multiple requests for bookmobile service.
2. Stops need to be at least 3 miles from the main library.
3. There should be ample room to maneuver and park a 29' vehicle.
4. Have a parking area with a visible spot large enough to accommodate the bookmobile while allowing safe entrance and exit for patrons.
5. A well-lit location for after-dark stops.
6. The area under consideration should have adequate cellular/wireless signal.
7. The stop must easily fit into the existing schedule. The established schedule will not be rearranged to accommodate a new stop.

When reviewing stops, the following considerations will be made:

1. The stop must have consistent usage of services.
2. The stop must show a good participation level (how many patrons use the service).
3. The stop must provide a consistent return of library material (in good condition).

Terminating stops:

1. The Library reserves the right to discontinue stops failing to meet the above criteria. Advance notification as to when and why the stop has been terminated will be given to patrons of that stop.

Approved by Board of Trustees 12/18/2017

## **Volunteers**

The Board of Trustees of the Morton Mandan Public Library supports and encourages the participation of qualified volunteers for the benefit of the Library within a structured program to supplement the work of paid staff. Written guidelines for volunteers will be maintained and distributed. Volunteers will acknowledge and comply with Library policies and procedures. Supervision of volunteers will be the responsibility of the Director or her/his designee(s).

While “on duty” at the Library, volunteers will be covered by the City of Mandan’s liability and Workmen’s Compensation insurance.

## **Storm Day Policy**

In order to fulfill its mission of public service, the Morton Mandan Public Library will make every reasonable effort to open to the public as scheduled, consistent with safe access for the public and staff.

Inclement weather can cause transportation problems and locally hazardous conditions with possible power outages. The library will close, delay opening or close ahead of schedule when the weather becomes hazardous to the health and/or safety of the public and/or library staff.

The decision to close, postpone opening or close early due to inclement weather will be made by the Director, with possibility of input from the Assistant Director, Library Board of Trustees President, or the City Administrator.

When deciding if the library should close, the following will be taken into consideration:

- Observed and forecasted weather conditions
- Status of Mandan and/or Bismarck City Halls
- Status of Mandan and/or Bismarck schools
- Status of Bismarck Veteran's Memorial Public Library
- If a No Travel Advisory has been issued for the area by the DOT

If severe weather and/or emergency conditions arise during the day and the library is to close early, library patrons already in the building will be notified immediately.

The public will be notified of closing or changes in hours of operation through a variety of means:

- Facebook
- Library and City of Mandan websites
- Local news websites
- When possible, signage on the entry to the library building

If staff are unable to make it to the library due to the weather or road conditions, he or she must call the Director or Assistant Director as soon as possible. Staff are able to use accrued comp or vacation time to make up for missed hours.

# Library Bill of Rights

The American Library Association affirms that all libraries are forums for information and ideas, and that the following basic policies should guide their services.

I. Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation.

II. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.

III. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.

IV. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.

V. A person's right to use a library should not be denied or abridged because of origin, age, background, or views.

VI. Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.

VII. All people, regardless of origin, age, background, or views, possess a right to privacy and confidentiality in their library use. Libraries should advocate for, educate about, and protect people's privacy, safeguarding all library use data, including personally identifiable information.

Adopted June 19, 1939, by the ALA Council; amended October 14, 1944; June 18, 1948; February 2, 1961; June 27, 1967; January 23, 1980; January 29, 2019.

Inclusion of "age" reaffirmed January 23, 1996.

Although the Articles of the *Library Bill of Rights* are unambiguous statements of basic principles that should govern the service of all libraries, questions do arise concerning application of these principles to specific library practices. See the documents designated by the Intellectual Freedom Committee as [Interpretations of the Library Bill of Rights](#).

## The Freedom to Read Statement

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The freedom to read is essential to our democracy. It is continuously under attack. Private groups and public authorities in various parts of the country are working to remove or limit access to reading materials, to censor content in schools, to label "controversial" views, to distribute lists of "objectionable" books or authors, and to purge libraries. These actions apparently rise from a view that our national tradition of free expression is no longer valid; that censorship and suppression are needed to counter threats to safety or national security, as well as to avoid the subversion of politics and the corruption of morals. We, as individuals devoted to reading and as librarians and publishers responsible for disseminating ideas, wish to assert the public interest in the preservation of the freedom to read.

Most attempts at suppression rest on a denial of the fundamental premise of democracy: that the ordinary individual, by exercising critical judgment, will select the good and reject the bad. We trust Americans to recognize propaganda and misinformation, and to make their own decisions about what they read and believe. We do not believe they are prepared to sacrifice their heritage of a free press in order to be "protected" against what others think may be bad for them. We believe they still favor free enterprise in ideas and expression.

These efforts at suppression are related to a larger pattern of pressures being brought against education, the press, art and images, films, broadcast media, and the Internet. The problem is not only one of actual censorship. The shadow of fear cast by these pressures leads, we suspect, to an even larger voluntary curtailment of expression by those who seek to avoid controversy or unwelcome scrutiny by government officials.

Such pressure toward conformity is perhaps natural to a time of accelerated change. And yet suppression is never more dangerous than in such a time of social tension. Freedom has given the United States the elasticity to endure strain. Freedom keeps open the path of novel and creative solutions, and enables change to come by choice. Every silencing of a heresy, every enforcement of an orthodoxy, diminishes the toughness and resilience of our society and leaves it the less able to deal with controversy and difference.

Now as always in our history, reading is among our greatest freedoms. The freedom to read and write is almost the only means for making generally available ideas or manners of expression that can initially command only a small audience. The written word is the natural medium for the new idea and the untried voice from which come the original contributions to social growth. It is essential to the extended discussion that serious thought requires, and to the accumulation of knowledge and ideas into organized collections.

We believe that free communication is essential to the preservation of a free society and a creative culture. We believe that these pressures toward conformity present the danger of limiting the range and variety of inquiry and expression on which our democracy and our culture depend. We believe that every American community must jealously guard the freedom to publish and to circulate, in order to preserve its own freedom to read. We believe that publishers and librarians have a profound responsibility to give validity to that freedom to read by making it possible for the readers to choose freely from a variety of offerings.

The freedom to read is guaranteed by the Constitution. Those with faith in free people will stand firm on these constitutional guarantees of essential rights and will exercise the responsibilities that accompany these rights.

We therefore affirm these propositions:

1. *It is in the public interest for publishers and librarians to make available the widest diversity of views and expressions, including those that are unorthodox, unpopular, or considered dangerous by the majority.*

Creative thought is by definition new, and what is new is different. The bearer of every new thought is a rebel until that idea is refined and tested. Totalitarian systems attempt to maintain themselves in power by the ruthless suppression of any concept that challenges the established orthodoxy. The power of a democratic system to adapt to change is vastly strengthened by the freedom of its citizens to choose widely from among conflicting opinions offered freely to them. To stifle every nonconformist idea at birth would mark the end of the democratic process. Furthermore, only through the constant activity of weighing and selecting can the democratic mind attain the strength demanded by times like these. We need to know not only what we believe but why we believe it.

2. *Publishers, librarians, and booksellers do not need to endorse every idea or presentation they make available. It would conflict with the public interest for them to establish their own political, moral, or aesthetic views as a standard for determining what should be published or circulated.*

Publishers and librarians serve the educational process by helping to make available knowledge and ideas required for the growth of the mind and the increase of learning. They do not foster education by imposing as mentors the patterns of their own thought. The people should have the freedom to read and consider a broader range of ideas than those that may be held by any single librarian or publisher or government or church. It is wrong that what one can read should be confined to what another thinks proper.

3. *It is contrary to the public interest for publishers or librarians to bar access to writings on the basis of the personal history or political affiliations of the author.*

No art or literature can flourish if it is to be measured by the political views or private lives of its creators. No society of free people can flourish that draws up lists of writers to whom it will not listen, whatever they may have to say.

4. *There is no place in our society for efforts to coerce the taste of others, to confine adults to the reading matter deemed suitable for adolescents, or to inhibit the efforts of writers to achieve artistic expression.*

To some, much of modern expression is shocking. But is not much of life itself shocking? We cut off literature at the source if we prevent writers from dealing with the stuff of life. Parents and teachers have a responsibility to prepare the young to meet the diversity of

experiences in life to which they will be exposed, as they have a responsibility to help them learn to think critically for themselves. These are affirmative responsibilities, not to be discharged simply by preventing them from reading works for which they are not yet prepared. In these matters values differ, and values cannot be legislated; nor can machinery be devised that will suit the demands of one group without limiting the freedom of others.

5. *It is not in the public interest to force a reader to accept the prejudgment of a label characterizing any expression or its author as subversive or dangerous.*

The ideal of labeling presupposes the existence of individuals or groups with wisdom to determine by authority what is good or bad for others. It presupposes that individuals must be directed in making up their minds about the ideas they examine. But Americans do not need others to do their thinking for them.

6. *It is the responsibility of publishers and librarians, as guardians of the people's freedom to read, to contest encroachments upon that freedom by individuals or groups seeking to impose their own standards or tastes upon the community at large; and by the government whenever it seeks to reduce or deny public access to public information.*

It is inevitable in the give and take of the democratic process that the political, the moral, or the aesthetic concepts of an individual or group will occasionally collide with those of another individual or group. In a free society individuals are free to determine for themselves what they wish to read, and each group is free to determine what it will recommend to its freely associated members. But no group has the right to take the law into its own hands, and to impose its own concept of politics or morality upon other members of a democratic society. Freedom is no freedom if it is accorded only to the accepted and the inoffensive. Further, democratic societies are more safe, free, and creative when the free flow of public information is not restricted by governmental prerogative or self-censorship.

7. *It is the responsibility of publishers and librarians to give full meaning to the freedom to read by providing books that enrich the quality and diversity of thought and expression. By the exercise of this affirmative responsibility, they can demonstrate that the answer to a "bad" book is a good one, the answer to a "bad" idea is a good one.*

The freedom to read is of little consequence when the reader cannot obtain matter fit for that reader's purpose. What is needed is not only the absence of restraint, but the positive provision of opportunity for the people to read the best that has been thought and said. Books are the major channel by which the intellectual inheritance is handed down, and the principal means of its testing and growth. The defense of the freedom to read requires of all publishers and librarians the utmost of their faculties, and deserves of all Americans the fullest of their support.

We state these propositions neither lightly nor as easy generalizations. We here stake out a lofty claim for the value of the written word. We do so because we believe that it is possessed of

enormous variety and usefulness, worthy of cherishing and keeping free. We realize that the application of these propositions may mean the dissemination of ideas and manners of expression that are repugnant to many persons. We do not state these propositions in the comfortable belief that what people read is unimportant. We believe rather that what people read is deeply important; that ideas can be dangerous; but that the suppression of ideas is fatal to a democratic society. Freedom itself is a dangerous way of life, but it is ours.

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This statement was originally issued in May of 1953 by the Westchester Conference of the American Library Association and the American Book Publishers Council, which in 1970 consolidated with the American Educational Publishers Institute to become the Association of American Publishers.

Adopted June 25, 1953, by the ALA Council and the AAP Freedom to Read Committee; amended January 28, 1972; January 16, 1991; July 12, 2000; June 30, 2004.

## Freedom to View Statement

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The **FREEDOM TO VIEW**, along with the freedom to speak, to hear, and to read, is protected by the [First Amendment to the Constitution of the United States](#). In a free society, there is no place for censorship of any medium of expression. Therefore these principles are affirmed:

1. To provide the broadest access to film, video, and other audiovisual materials because they are a means for the communication of ideas. Liberty of circulation is essential to insure the constitutional guarantee of freedom of expression.
2. To protect the confidentiality of all individuals and institutions using film, video, and other audiovisual materials.
3. To provide film, video, and other audiovisual materials which represent a diversity of views and expression. Selection of a work does not constitute or imply agreement with or approval of the content.
4. To provide a diversity of viewpoints without the constraint of labeling or prejudging film, video, or other audiovisual materials on the basis of the moral, religious, or political beliefs of the producer or filmmaker or on the basis of controversial content.
5. To contest vigorously, by all lawful means, every encroachment upon the public's freedom to view.

This statement was originally drafted by the Freedom to View Committee of the American Film and Video Association (formerly the Educational Film Library Association) and was adopted by the AFVA Board of Directors in February 1979. This statement was updated and approved by the AFVA Board of Directors in 1989.

# Free Access to Libraries for Minors

## An Interpretation of the Library Bill of Rights

Library policies and procedures that effectively deny minors equal and equitable access to all library resources available to other users violate the [Library Bill of Rights](#). The American Library Association opposes all attempts to restrict access to library services, materials, and facilities based on the age of library users.

Article V of the *Library Bill of Rights* states, "A person's right to use a library should not be denied or abridged because of origin, age, background, or views." The "right to use a library" includes free access to, and unrestricted use of, all the services, materials, and facilities the library has to offer. Every restriction on access to, and use of, library resources, based solely on the chronological age, educational level, literacy skills, or legal emancipation of users violates Article V.

Libraries are charged with the mission of developing resources to meet the diverse information needs and interests of the communities they serve. Services, materials, and facilities that fulfill the needs and interests of library users at different stages in their personal development are a necessary part of library resources. The needs and interests of each library user, and resources appropriate to meet those needs and interests, must be determined on an individual basis. Librarians cannot predict what resources will best fulfill the needs and interests of any individual user based on a single criterion such as chronological age, educational level, literacy skills, or legal emancipation.

Libraries should not limit the selection and development of library resources simply because minors will have access to them. Institutional self-censorship diminishes the credibility of the library in the community, and restricts access for all library users.

Children and young adults unquestionably possess [First Amendment](#) rights, including the right to receive information in the library. Constitutionally protected speech cannot be suppressed solely to protect children or young adults from ideas or images a legislative body believes to be unsuitable for them.<sup>1</sup> Librarians and library governing bodies should not resort to age restrictions in an effort to avoid actual or anticipated objections, because only a court of law can determine whether material is not constitutionally protected.

The mission, goals, and objectives of libraries cannot authorize librarians or library governing bodies to assume, abrogate, or overrule the rights and responsibilities of parents. As "[Libraries: An American Value](#)" states, "We affirm the responsibility and the right of all parents and guardians to guide their own children's use of the library and its resources and services." Librarians and governing bodies should maintain that parents—and only parents—have the right and the responsibility to restrict the access of their children—and only their children—to library resources. Parents who do not want their children to have access to certain library services, materials, or facilities should so advise their children. Librarians and library governing bodies cannot assume the role of parents or the functions of parental authority in the private relationship between parent and child.

Lack of access to information can be harmful to minors. Librarians and library governing bodies have a public and professional obligation to ensure that all members of the community they serve have free, equal, and equitable access to the entire range of library resources regardless of content, approach, format, or amount of detail. This principle of library service applies equally to all users, minors as well as adults. Librarians and library governing bodies must uphold this principle in order to provide adequate and effective service to minors.

<sup>1</sup>See [Erznoznik v. City of Jacksonville](#), 422 U.S. 205 (1975)-"Speech that is neither obscene as to youths nor subject to some other legitimate proscription cannot be suppressed solely to protect the young from ideas or images that a legislative body thinks unsuitable [422 U.S. 205, 214] for them. In most circumstances, the values protected by the First Amendment are no less applicable when government

seeks to control the flow of information to minors. See [Tinker v. Des Moines School Dist.](#), *supra*. Cf. [West Virginia Bd. of Ed. v. Barnette](#), 319 U.S. 624 (1943)."

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Adopted June 30, 1972, by the ALA Council; amended July 1, 1981; July 3, 1991, June 30, 2004.

# Why Are These Books in My Library? What Your Librarian Wants You to Know

## 1. How can you help children and teens make the best use of the library?

- Encourage your children to think about the library as a place to get answers to questions, as well as to find interesting things to read for fun. By asking questions and learning to find their own answers, young people learn to think for themselves and analyze what they see and hear.
- Talk to your librarians. Your librarian will ask you and your child questions, then make suggestions based on your child's age, maturity level, knowledge and interest. When you can't go along, ask your children to talk with you about what they found at the library.
- Children are generally not attracted to materials that are too advanced for their reading or maturity levels. If you feel an item is too advanced or not appropriate for your child, use this as an opportunity to express your views and provide guidance. Discuss your family expectations regarding library use with your children.
- Sometimes young people seek information from libraries when they are embarrassed or uncomfortable about asking an adult. Factual information from the library can ease their fears and even keep them safe from harm. Remember that when a child is reading or viewing something, it doesn't mean they are participating in or approve of it. Children and teens are sometimes more comfortable learning about a topic from someone else's experience in a book or movie. If you have a concern, take the opportunity to discuss it.
- Be a role model for library use. Nothing teaches children better than seeing you use and enjoy the wide range of materials available, and talking about how make your own choices.

## 2. Why can't adults tell the librarian what materials youth shouldn't have access to?

Like adults, children and teens have the right to find the information they choose. Libraries have a responsibility to provide information for a wide variety of users. If you are a parent or guardian, you have the right and responsibility to make decisions about what materials are suitable for your own family. No one has the right to make rules restricting what other people use, or to make decisions for other families.

## 3. How are libraries different from movie theaters or bookstores, which often have restrictions for children and teens?

You have probably used movie guidelines such as G, PG and PG-13. These standards are developed by the Motion Picture Association of America (MPAA), a private institution. Other organizations also provide movie guidelines. You may be aware of recommendations from parenting resources or from your pediatrician. Librarians can help you find movies that fit your family. We may use information from a variety of sources, including MPAA, but we will find other information for you as needed. As public institutions, libraries cannot discriminate based on origin, age, background or views. Retail stores and theaters are businesses that may be required to — or can choose to — apply restrictions.

## 4. How do librarians select their collections?

Each library develops its own policies or criteria for collection development. Policies are approved by the library or school governing board, which is made up of community representatives. The majority of books and other materials selected have been reviewed in professional magazines or journals.

Purchases are also sometimes made based on requests by library users. In schools, librarians work closely with teachers and school administrators to provide collections that support and supplement the school's curriculum.

To serve entire communities, librarians seek materials on a broad range of subject matter that reflect diverse experiences. Librarians don't select materials based on their personal beliefs. They select materials in keeping with their libraries' policies and the Library Bill of Rights.

The [Library Bill of Rights](#) was adopted by the American Library Association in 1939 in response to the censorship taking place during World War II. This set of six articles defines the core values of librarianship.

## **5. How do librarians decide where the materials should be shelved?**

Librarians divide the collection into sections, so that patrons can find what they need more easily. Nonfiction, reference, fiction, YA/teens, children, graphic novels, and movies are sections found in most public libraries. Some fiction books could fit in two categories (for example: a book for "tweens," i.e., older children or young teenagers). Librarians are familiar with their library's collection development policies, which, among other things, outline the needs and interests of the community, and give a framework for each section of the collection. Librarians usually rely on their own professional assessment of the book, along with professional reviews and a good knowledge of the community.

## **6. What about the internet?**

The internet, a global, decentralized network of computers, provides a means to access information far beyond the library's own collections. The internet is also a new opportunity for children to expand their minds and experiences, and to develop skills necessary for the future. The quality of a child's experience directly relates to a parent's investment in that experience. If you take the time, you can make your child's internet activities positive, productive and educational.

No individual, company or government agency controls or monitors the internet in the U.S. While much of the information accessed can be valuable and enlightening, the user may also find materials that are unreliable, personally offensive or illegal under U.S. law. Therefore, parents are advised to supervise their children's internet sessions at the library. By taking responsibility for their children's online computer use, whether at the library or at home, parents can minimize any potential risks associated with online computer use.

**American Library Association/ May 2017**