

# **Public Policy**

## **Bulverde Area Rural Library District**

The policies contained in this document deal with usage of any libraries in the Bulverde Area Rural Library District (BARLD).

The BARLD Board of Trustees has discussed and approved the policies included in this document. In addition, policies are reviewed regularly by the Board of Trustees, who may make permanent policy changes as deemed necessary, after such reviews.

Under extenuating circumstances (e.g, to protect the health and safety of library staff and patrons), the Library Director may temporarily override, change, or disregard any of the policies included in this document.

### **SECTION 1 - MAIN FUNCTION AND SERVICES OF THE BARLD**

**Section 1.1:** The Bulverde Area Rural Library District serves the population of western Comal County as shown on the BARLD Metes and Bounds (see Attachment P-3).

**Section 1.2:** Main functions of the Bulverde Area Rural Library District are to provide libraries in the District to:

- function as a source of support for the residents of the Bulverde/Spring Branch area and Comal County
- serve as a center for independent and assisted learning
- provide a safe environment for patrons of all ages to explore new materials in a non-threatening atmosphere
- provide exposure to a wide range of authors, both fiction and non-fiction
- provide materials in various formats to accommodate multiple learning styles and patron demand

**Section 1.3:** The BARLD follows the basic policies of the Library Bill of Rights adopted by the American Library Association (see Attachment P-1).

**Section 1.4:** The BARLD provides many services and programs for the community including materials, digital resources, magazines, computers, and programs. (See Attachment P-2 Materials and Services Provided.)

**Section 1.5:** The BARLD respects the right of the individual to view and read materials. (See Attachment P-4: Freedom to View, Attachment P-5: Freedom to Read, and Attachment P-6: Free Access to Libraries for Minors, adopted by the American Library Association and Association of American Publishers.)

## **SECTION 2 - ORGANIZATIONAL STRUCTURE OF THE MAMMEN FAMILY PUBLIC LIBRARY**

Mammen Family Public Library (MFPL) is governed by a five-member Board of Trustees of the Bulverde Area Rural Library District, which is elected by voters of the BARLD service area. The Trustees hire a Library Director who oversees the operations of the library and its staff. The Director also is in charge of hiring staff members and overseeing the volunteer program(s).

## **SECTION 3 - LIBRARY HOURS AND HOLIDAYS**

**Section 3.1:** Library hours are set by the Board. See Attachment P-7.

**Section 3.2:** The holidays observed by the library are set by the Board. See Attachment P-7.

## **SECTION 4 - LIBRARY CARD REGISTRATION**

**Section 4.1:** All residents of the BARLD and approved zip codes (see Attachment P-14) are eligible and encouraged to receive a library borrower's card. Service shall not be denied or abridged because of religious, racial, physical, social, economic or political status. Borrowing privileges must be updated annually in order to maintain accurate records. There is no charge for a borrower's card. Customers can receive one replacement card at no charge. A fee charge for subsequent replacement of lost cards will be set by the Library Director. (See Attachment P-8).

**Section 4.2:** To receive a borrower's card, an application must be completed and the following proof of identity and residency provided:

- some type of photo identification (a Texas Driver's License, Student ID, military ID, or employer ID)
- verification of current address such as checkbook, voter's registration card, a utility bill, or mail with a recent postmark

**Section 4.3:** Non-residents may receive a card for a fee (see Attachment P-8).

**Section 4.4:** Non-residents living in the Bulverde Area Rural Library District, or in an approved zip code per Section 4.1, on a temporary basis may obtain a library card for the duration of their stay with proof of residence and a document such as a lease showing the duration of their stay. The card will expire when their stay ends. To receive a non-resident library card, an application form must be completed and the following information provided:

- A picture ID with current residential address and
- Rental receipt from an "in district" landlord with dates of stay/lease

**Section 4.5:** Patrons under 18 years of age may receive a borrower's card. A parent or guardian must have his/her own borrowing card in good standing and give permission for the child to borrow materials. The parent or guardian accepts full responsibility for the minor and any damaged or lost materials and fees.

Students attending a local school may receive a Student Passport card with limited access to library resources without a parent obtaining a library card.

**Section 4.6:** Any patron who loses his/her library card or has it stolen must report this loss to the library immediately. The library will reissue the card and take steps to ensure that no false use is made of the missing card. Until a card is reported lost, the patron is responsible for its use.

## **SECTION 5 - LIBRARY SERVICES AVAILABILITY**

**Section 5.1:** The use of the library or its services may be denied for due cause such as failure to return materials or pay fees due (see Attachment P-8), destruction of library property, disturbance of other properties or any other objectionable conduct on library premises. All fees must be cleared before a borrower's card can be renewed or replaced.

**Section 5.2:** Patrons will not be allowed access to library services if their fees exceeds an amount set by the Board, unless approved by library staff (see Attachment P-8).

## **SECTION 6 - CONFIDENTIALITY OF RECORDS**

**Section 6.1:** The Bulverde Area Rural Library District supports every patron's right to have his or her library records remain confidential. These records include patron registration data, circulation records, overdue and reserve records, participation in library sponsored programs, records of library visits, use of internet including sites visited and any containing information linking specific patrons with specific materials or services used. The library will not provide patron information for commercial purposes.

The Bulverde Area Rural Library District endorses the recommendations of the American Library Association's Policy on Confidentiality of Library Records (see Attachment P-9).

**Section 6.2:** Each patron has individual control over his or her borrower's card and presentation of the card permits access to information about the borrower's circulation record. When no longer needed for administrative purposes, records will be expunged.

**Section 6.3:** Personal records of patrons will not be disclosed unless:

- The library receives an order from a court of competent jurisdiction, requesting the information because the merits of public disclosure clearly exceed the demands for individual privacy.
- Patrons are advised that the library must comply with the provisions of the United States of America Patriot Act of October, 2001.
- The information is at the request or consent of the individual who is the subject of the record or information.
- The library needs to recover overdue, lost or stolen materials and to collect reparations. See Sections 7 and 8 below.
- The information is needed for library administrative purposes. Patron records are available to library staff for use in conducting ordinary library business. Patron records may be shared with automation

vendors in the normal course of database creation and management or to agencies using the information to collect outstanding fees.

**Section 6.4:** The MFPL will publish statistical reports regarding library registration and book circulation, but will not report any individual identification in the reports.

## **SECTION 7 - LOAN PERIODS AND GUIDELINES**

**Section 7.1:** Loan periods and restrictions on the number of items allowed per patron are posted in the library and on the library's website (<http://mfplibrary.org/>). The Director sets guidelines to allow equitable access to all patrons, encourage circulation and maximize the experience of each library user.

**Section 7.2:** All media must be returned with all cover art, booklets, inserts, and liner notes. All borrowed materials will be returned in the condition they were borrowed. Patrons will be assessed the full replacement cost for items not returned in their entirety. Patrons are responsible for all damaged and lost materials and a process fee set by the Director (see Attachment P-8) and will be assessed for all items declared damaged or lost.

**Section 7.3:** For a household with multiple cards, library services may be denied when the total of these cards exceeds the threshold set by the Director (see Attachment P-8).

## **SECTION 8 - FEES**

To offset labor costs and aid in replacing missing materials, the following policies will be observed:

### **Section 8.1: Overdue Materials Fees**

Overdue material fees are set by Director (see Attachment P-8).

### **Section 8.2: Fees Notification**

The library will attempt to notify the patron four (4) times prior to the account being sent to a collection agency if the fee exceeds the amount set by the Library Director (see Attachment P-8).

### **Section 8.3: Failure to Pay**

Failure to pay fees and /or return materials after the final notice will result in the loss of borrowing privileges (see Section 7 above).

### **Section 8.4: Lost Items**

All borrowed materials will be returned in the condition in which they were borrowed. A processing fee determined by the Library Director (see Attachment P-8) will be assessed for each damaged and/or lost item. If an item which has been lost and paid for is returned within 30 days of the time in which it was paid, a partial refund may be made less the late fees and processing charge.

**Section 8.5: ILL Postage Fee**

Patrons borrowing an Interlibrary Loan (ILL) item will be charged the cost of return postage if the item requested is not picked up (see Attachment P-8).

**Section 8.6: Faxing, Copying and Printing Fees**

Fax transmission and reception charges as well as Overseas charges are set by the Director. Copy fees for black and white copies and prints, color copies and prints are set by the Director (see Attachment P-8). These are general guidelines. Exceptions may be made at the discretion of library staff.

**SECTION 9 - INTERLIBRARY LOAN**

**Section 9.1:** The purpose of Interlibrary Loan (ILL) is to expand the range and scope of materials available to patrons. Each item will be considered on a case-by-case basis, but the following policies will apply:

- Only patrons with valid BARLD borrowers card are eligible for ILL services
- ILL will not be used for items already owned by the library, regardless of demand
- Patrons may request new materials using their online account. There is no guarantee all requests will be filled.

**Section 9.2:** Purchase of materials and fulfillment of ILL requests are dependent on the availability of that item from other borrowing agencies. If library staff decide against purchasing the item, an Interlibrary Loan request may be filled.

**Section 9.3:** Library staff will contact the patron requesting the materials as soon as it arrives and is processed. Library patrons are fully responsible for all costs for overdue, damaged or lost items.

**SECTION 10 - REQUEST TO ADD MATERIALS AND REMOVE MATERIALS FROM THE COLLECTION**

**Section 10.1:** Library cardholders with active accounts in good standing may request materials be added to the collection using their online account or Attachment P-10: Patron Request for Purchase.

**Section 10.2:** Library cardholders with active accounts in good standing who reside within the Bulverde Area Rural Library District boundaries may request materials be considered for removal from the collection using Attachment P-11: Statement of Concern about Library Resources.

**SECTION 11 - COMPUTER AND INTERNET USE**

**Section 11.1:** Computers and the internet enable the Library to provide information beyond the confines of its own collection. Wireless internet access is available throughout the library building to eligible users who have the necessary devices and software, via an open, unsecured network. The Library is not responsible for damages to a patron's equipment as a result of patron's use of the Library computers or resources.

See Procedures for Computer and Internet Use (Attachment P-12). The Library reserves the right to terminate a patron's computer session if the patron is in violation of these procedures.

**Section 11.2:** The Library assumes no responsibility for any activities conducted by users of the Library's computers or by users of the Library's wireless network.

**Section 11.3:** While the Library complies with the Children's Internet Protection Act (CIPA) on Public Access Computers (PACs), Parents or Legal Guardians will be responsible for the following, staff cannot act in place of a parent to do so:

- Monitoring their child's access to inappropriate matter on the Internet
- Controlling sites that children may select on the Internet,
- Supervising the safety and security of minors when using electronic mail and other forms of direct electronic communications
- Preventing unauthorized disclosure, use, and dissemination of personal identification information
- Preventing minor's unauthorized access, including "hacking", and other unlawful activities while online
- Avoiding minor's access to materials harmful to them by monitoring all internet use

**Section 11.4:** All library records identifying the names of patrons with records of use of specific library materials and electronic resources are confidential in nature and will not be made available to any person or agency, including governmental authorities, except pursuant to authorized process, order or subpoena, according to law.

**Section 11.5:** Patrons may not modify or remove any Library equipment, or attempt maintenance on the Library equipment. Patrons must not attempt to circumvent Library computer session controls or security measures.

## **SECTION 12 - ELECTRONIC DEVICES USE**

**Section 12.1:** Patrons must have a library card for at least 90 days and be in good standing (no fines or lost materials) in order to check out electronic devices.

**Section 12.2:** Patrons must agree to and sign the Electronic Devices Registration Use Form (Attachment P-13) and provide their driver's license number or government issued picture ID with proof of address as part of the form.

**Section 12.3:** Library e-readers are pre-loaded with materials and patrons are not allowed to buy or add titles, materials, or applications for the e-reader.

**Section 12.4:** The loan period for electronic devices is two (2) weeks maximum with no renewals allowed as equipment must be serviced after each use. Another device may be checked out, if available, upon

return of the borrowed device. There is a late fee per day set by the Library Director (see Attachment P-8).

**Section 12.5:** Upon return of the equipment, staff at the circulation desk will check over the equipment and review its condition before a patron's record is cleared.

### **SECTION 13 - WIRELESS INTERNET USE**

**Section 13.1:** Wireless internet access is provided free of charge by the Library for patrons who have the required hardware and software needed for this service. Use of this service is governed by the Library's Procedures for Computer and Internet Use (Attachment P-12). Use of the library's wireless service constitutes a patron's agreement with the terms and conditions of these procedures. The library reserves the right to terminate a patron's wireless internet session if the patron is in violation of these procedures.

**Section 13.2:** Wireless internet access is provided as a free public service on an "as is" basis with no guarantee of service. Users are responsible for setting up their equipment to access the library's wireless network. Library staff can provide general information or handouts to help patrons connect to the wireless network but will not provide technical assistance and will not assume any responsibility for personal hardware configurations, security, or changes to data file resulting from connections to the library's wireless internet network. It is recommended that users make a backup copy of any settings changed before configuring their equipment for use on the library's wireless network.

**Section 13.3:** All wireless internet users should have up-to-date antivirus software installed on their computers. As with most public wireless internet networks, the library's is not secure. Any information transmitted (including credit card numbers, passwords, and other sensitive information) could potentially be intercepted by another computer user.

**Section 13.4:** Wireless printing is available via the library website for a nominal fee per page (see Attachment P-8). Prints can be picked up from the print release station and will remain there for 48 hours.

**Section 13.5:** Any attempt to circumvent library procedures or any unauthorized attempt to access or manipulate library equipment will result in permanent disconnection from the library's wireless network.

### **SECTION 14 - COPYRIGHT AND COPYRIGHT VIOLATION**

**Section 14.1:** The Library recognizes the rights of the holders of copyright for materials and will not knowingly allow violation of the law either by staff or by the public. The Library uses as guidelines the Copyright Law of the United States of America and related laws contained in Title 17 of the *U.S. Code* (see <http://www.copyright.gov/title17/92chap1.html>).

**Section 14.2:** The Library recognizes the rights of patrons to use materials for personal use only, unless public performance and /or broadcast rights have been obtained.

**Section 14.3:** Under Copyright Law, illegal duplication or sharing of copyrighted materials is prohibited. Copyrighted materials may include, but are not limited to, all printed matter, audio recordings, video recordings, computer software, databases, and digital files that are owned or licensed by the Library, obtained through interlibrary loan, or downloaded from the internet. Warnings will be posted on or near all public equipment capable of reproducing or distributing materials including audio and video recorders, photocopiers, printers and computers. All materials produced by staff on behalf of patrons will carry a warning notice.

## **SECTION 15 - DISPLAYS AND BULLETIN BOARDS**

**Section 15.1:** The Library provides space for library-sponsored or co-sponsored programs, displays, and activities of an informational, educational, cultural or civic nature. Religious, profit-making, politically partisan or merely social meetings do not fall within this co-sponsored category.

**Section 15.2:** All items to be placed on library bulletin boards or given as handouts must first be given to library staff, and will be posted if they fall within the above-mentioned guidelines. Items placed on the bulletin board will be dated and will be displayed no longer than two (2) weeks. Items placed on bulletin boards without prior approval will be removed and discarded.

## **SECTION 16 - MEETING ROOM USE**

**Section 16.1:** Meeting rooms in the Bulverde Area Rural Library District are primarily used for library programs and events, but are sometimes available for small community centered or not-for-profit/non-commercial group meetings having no charge events. Any issues not covered in Library policies will be resolved by discussion with the Facilities Manager and the Library Director. The safety and security of our staff and patrons are a factor in determining how the rooms will be used.

**Section 16.2:** To request library meeting room use, interested parties must agree to the rules in this policy and fill out a Meeting Room Request form online. Requesters must be over 18 years of age and an MFPL card holder. The Facilities Manager will follow up by email.

**Section 16.3:** A refundable deposit will be required of individuals or groups using the meeting rooms. The individual making the reservation, as well as the group as a whole, is responsible for damages that result from the group's use of the meeting room.

**Section 16.4:** These rules may be revised at any time without notice. Smoking is prohibited on Library property.

### **Section 16.5: Prohibited Use of Library Meeting Rooms**

- The Library cannot accommodate private parties, social events, and/or religious services.
- Entities may not use the rooms for events to solicit money or another thing of value, charge admission, or sell, or advertise for sale, goods or services.
- Fundraising or educational events for local non-profit entities may be considered on a case to case basis.
- Alcohol may not be served in the meeting spaces without approval from the Library Director.



**Section 16.6:** Community and Not-for-Profit/Non-Commercial groups, who are not selling products or services, may be approved to use a meeting room during library hours, once per month, subject to room availability and Library scheduling constraints, for educational, civic, cultural or intellectual pursuits. Such use is generally limited to groups with fewer than 30 people and requires advance notice.

All advertising for Community and Not-for-Profit/Non-Commercial group events must include the statement: “*This event is not affiliated with or sponsored by the Bulverde Area Rural Library District or Mammen Family Public Library.*” The library’s phone number should not be given out as a contact for inquiries about the event.

The Library reserves the right to reschedule an event in case of emergency or unforeseen circumstances.

**Section 16.7:** Tutors are welcome to tutor in shared library spaces, if they can do so without disturbing others, or may use a walk-in Study Room per Library Study Room policy (see below) and availability. Tutors are limited to working with three students or fewer at a time.

**Section 16.8** Study Rooms are available for walk-in use only by groups of 6 or less. These rooms cannot be reserved in advance.

- You must sign the Sign-up Sheet on the door before using the room
- There is a (2) two-hour time limit for room use
- If no one has signed up after your (2) two-hour time limit, you can sign up for another (1) hour time frame
- If you fail to sign in on the Sign-up sheet, you may be asked to leave the room if another person has signed up for a room

## **SECTION 17 - SECURITY, EMERGENCY AND SAFETY PROCEDURES**

### **Section 17.1: Emergency Procedures**

Procedures for fire, police, medical emergencies, inclement weather or natural disasters, and other emergencies deemed necessary will be in place. Staff will be trained in implementing the procedures.

### **Section 17.2: Inspection**

The Bulverde Area Rural Library District shall conduct annual and periodic inspections of its building, grounds, and equipment to ensure safety and security. Such inspections shall be the province of the Library Director and the entire library staff. These inspections should include the plans for emergencies in conjunction with the Texas Safety Culture Act (39-71-1501 through 39-71-1508 MCA).

### **Section 17.3: Safety Plan**

The developed Safety Plan should include detailed evacuation routes and signs indicating shut-off locations for electricity and water.

### **Section 17.4: Cooperation with Fire Department**

With a floor plan and details of the safety inspection, the library will work with the Bulverde Fire Department on:

- fire inspections
- training in the use of fire extinguishers
- drafting evacuation plans
- evacuation and other fire drills
- salvage and property recovery

**Section 17.5: Cooperation with Law Enforcement Agencies**

The library staff will work with Law Enforcement agencies in the area on personal safety and protection of property. If required, library staff will ask their help for:

- dealing with problem patrons
- opening and closing procedures
- review of safety plan
- theft of library materials

**Section 17.6: Prohibition of Smoking**

The Library is a smoke-free environment. Smoking in or on Library property is prohibited. This includes e-cigarettes, vaporizers and other nicotine delivery systems.

**SECTION 18 - UNATTENDED CHILDREN**

**Section 18.1:** The care and behavior of minors visiting the library is the sole responsibility of the parent/guardian, and the library staff will not act in the place of parents. Parents and child-care providers assume full responsibility for the behavior of all children they bring to the library.

**Section 18.2:** Children up to age 9 may not be left unattended at any time. If a child is left unattended in the library near closing time, staff will first attempt to contact the parents or care-providers. If they cannot be contacted, staff will call the Library Director and Comal County Sheriff's Office and/or Bulverde Police Office.

**SECTION 19 - VOLUNTEERS**

**Section 19.1: Volunteers**

Volunteers serve at the library without financial or benefited compensation. Volunteers represent the library to the public and therefore are subject to the same standards of behavior, conduct and dress as the employed staff. Volunteer procedures are outlined in the Library's Volunteer Guidelines. Volunteers can receive community service hours with their schools or other programs for the time they spend helping at the library. The library website will share volunteer opportunities and information.

**Section 19.2: Friends of the Bulverde Area Rural Library District**

The Friends of the Bulverde Area Rural Library District, aka FOL or Friends of the BARLD, are a non-profit, non-partisan corporation established for the following purposes:

- to promote public use of the Bulverde Area Rural Library District
- to develop appreciation of its value as a cultural and educational asset to the community
- to supplement library services and materials beyond the library's normal operating budget
- to encourage the extension and improvement of its services

The corporation supplements the library's mission to provide an environment that inspires a life-long love of learning with programs and activities that make available educational and cultural opportunities not normally accessible to members of the community.

**Section 19.3: Foundation of the Bulverde Area Rural Library District**

The Foundation of the Bulverde Area Rural Library District was founded to financially support the library and thereby enhance the community's appreciation and utilization of the library as a cultural and educational institute. The Foundation will primarily establish an endowment and other specific funds, solicit and accept donations to those funds, and administer those funds. The Foundation works closely with the boards of the Bulverde Area Rural Library District and the Friends of the BARLD to coordinate the common purposes of all three organizations in support of the library. The Foundation is a non-profit, non-partisan, non-stock issuing organization and has no seal or membership dues.

**Section 19.3: Appreciation of Volunteers**

The Library values and appreciates the efforts of volunteers and will make efforts through the year to highlight or otherwise acknowledge volunteer contributions.

**SECTION 20 - ANIMALS IN LIBRARY**

Service animals are allowed in the library with a patron. A service animal is defined as an animals that has been individually trained to do work or perform tasks for an individual with a disability. The task(s) performed by the animal must be directly related to the person's disability. This does not include animals that provide comfort just by being with a person. If a service animal is out of control and the handler does not take effective action to control it, staff may request that the animal be removed from the premises.

**SECTION 21 - ADVERTISING, SIGNAGE, ELECTIONEERING**

**Section 21.1:** The library may enact reasonable regulations concerning the time, place, and manner of advertising and signage. In order to preserve the landscape, wildflowers, and irrigation system of the Library, to ensure the public right-of-way, and to decrease traffic hazards--advertising and signage related to events and programs at the library are allowed but limited. Signs may be posted on library grounds outside the fence but not on utility poles, signs, retainer walls, or trees. The library is required to comply with the City of Bulverde signage regulations.

Signage must be within two-feet (24 inches) of the curb or sidewalk so as not to trample wildflowers or seeds. Signs are limited to a maximum of two (2) per group/individual. Size of signs should not exceed 6 square feet, and must be made of lightweight material, be easily removable, and be removed within 24 hours after the event.

Political and legislative advertising (including magnet signs on the side of vehicles) are not allowed within 100 feet of the Library in which a polling place is situated during early voting and election times. [See Texas Government Code § 305.027(e)].

**Section 21.2:** The library may enact reasonable regulations concerning the time, place, and manner of electioneering. No electioneering is allowed within 100 feet of an outside door through which a voter may enter the library. See *Texas Election Code Title 6, Chapter 61.003 and Chapter 85.036*.

Outside the 100 feet boundary electioneering is not allowed on driveways or parking lots of the library to ensure public safety and is limited on the grassy areas and hillsides to within two (2) feet of curb or sidewalk in order to preserve grass, wildflowers, and seeds.

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