

Adopted: December 28, 2004
Revised: August 9, 2005
Revised: October 26, 2005
Revised: February 10, 2014
Revised: September 26, 2017
Revised: September 19, 2019
Revised: June 7, 2021

GARDNER PUBLIC LIBRARY POLICIES

Mission and Goal Statements

- A. The mission of the Gardner Public Library of Wakefield, Nebraska is to provide quality materials and services which fulfill educational, informational, cultural, and recreational needs to the entire community in an atmosphere that is welcoming, respectful, and businesslike.
- B. The general library goals of the Gardner Public Library shall be:
 - 1. To serve all residents of the community and the surrounding area.
 - 2. To acquire and make available to all residents of the above area such books, periodicals, pamphlets, and other services as will address their needs to a) become well informed; b) locate answers to important questions; c) cultivate the imagination and creative expression; d) develop skills for career and vocational advancement; and e) enjoy leisure by means of reading and other media services
 - 3. To acquire the means to provide the most frequently requested material locally and upon demand.
 - 4. To maintain a program of service which locates information, guides reading, organizes and interprets material for people of various backgrounds, and stimulates thinking and intellectual development in individuals of any age.
 - 5. To strive consistently to discover new methods and improvements for better service for the library's customers.
 - 6. To review regularly the goals of the Gardner Public Library and, if necessary, revise them in the light of new developments.

Who May Use the Library

- A. The library will serve all residents of the community and the surrounding rural area. Service will not be denied or abridged because of religious, racial, social, economic, or political status, or because of mental, emotional, or physical condition, age or sexual orientation.
- B. The use of the library may be denied for due cause. Such cause may be failure to return materials or to pay penalties, destruction of library property, disturbance of other patrons, or any other illegal, disruptive, or objectionable conduct on library premises.

Services of the Library

The library provides materials and resources for information, entertainment, intellectual development, and enrichment of the people of the community. The library should endeavor to:

1. Select, organize, and make available necessary books and materials
2. Provide guidance and assistance to patrons.
3. Sponsor and implement programs, exhibits, displays, and book lists which appeal to children and adults
4. Cooperate with other community agencies and organizations.
5. Secure information beyond its own resources when requested (Using interlibrary loan and other resource sharing methods provided through the system and state).
6. Develop and provide services to patrons with special needs.
7. Maintain a balance in its services to various age groups.
8. Cooperate with, but not perform the functions of, school or other institutional libraries.
9. Provide service during library hours which best meet the needs of the community, including evening and weekend hours.
10. Regularly review new library services being offered.
11. Use media and other public relations mechanisms to promote the full range of available library services.

Responsibilities and Authorities of the Library Board

Refer to the Nebraska Statutes pertaining to libraries and library operations (Statute 51-202), and individual library by-laws to provide basis and framework for the responsibilities and authority of the library board and individual trustees.

The Gardner Public Library encourages each library trustee to take advantage of training opportunities for trustees offered by the Nebraska Library System or statewide library agencies and organizations. Likewise, the library encourages trustees to be active in the state library association and its efforts to inform the governor and legislature of the benefits and needs of public libraries.

Volunteers

The library board encourages individuals and groups to volunteer their time and efforts in the service of the Gardner Public Library. In appreciation of volunteer services, the library acknowledges the need to organize volunteer activities and provide for appropriate recognition befitting the benefit to the library and the community it serves. Recognition will be given for service. This will include a listing of volunteer names in a newspaper release and a note of appreciation.

Personnel Policy

- A. Management policy: The duly appointed library board shall have all management rights, authorities, and responsibilities as stated in the Nebraska State Statutes pertaining to libraries.

1. The library board shall select, appoint, and when necessary for valid reasons, dismiss the director of the library.
2. The board shall establish all other positions and all wage and benefit levels for all library staff.
3. The library board shall provide an effective orientation for new directors to assure that the director understands a) the policies and processes related to the daily operation of the library; b) reporting and budgetary requirements that assure accountability and compliance with the law; c) the expectations of the board in regard to administrative processes and protocol, particularly as they relate to conducting effective and efficient board meetings; and d) rules and requirements for state certification and any assistance which is provided by the library to acquire and maintain appropriate certification.

B. Administrative policy: The person appointed as library director shall be charged with the sole administration of the library.

1. The director shall be responsible to the library board in matters pertaining to and concerning the library; be present at monthly board meetings and prepare and present such reports and meeting documents as requested.
2. The director shall maintain financial records in an efficient manner; present periodic reports to the library board and to the municipal governing body; prepare the draft of the annual budget to be presented to the library board; and assist trustees with presentation of the adopted request for appropriation to the municipal governing body.
3. The director shall hold regular meetings with staff and/or volunteers for training and interpreting library policy.

Materials Selection/Collections Development Policy

A. Objectives

The purpose of the Gardner Public Library is to provide all individuals in the community with carefully selected books and other materials to aid the individual in the pursuit of education, information, research, pleasure, and the creative use of leisure time.

Because of the volume of publishing, as well as the limitations of the budget and space, the library must have a selection policy with which to meet community interests and needs.

The materials selection/collection development policy is used by the library staff in the selection of materials and also serves to acquaint the general public with the principles of selection.

The Library Bill of Rights and the Freedom to Read Statement have been endorsed by the Gardner Public Library Board of Trustees and are integral parts of the policy.

The materials selection/collection development policy, like all other policies, will be reviewed and/or revised as the need arises.

B. Responsibility for Selection

The ultimate responsibility for selection of library materials rests with the library director who operates within the framework of the policies determined by the Gardner Public Library Board of Trustees. This responsibility may be shared by other members of the library staff; however, because the director must be available to answer to the library board and the

general public for actual selections made, the director has the authority to reject or select any item contrary to the recommendations of the staff.

C. Criteria for Selection

1. The main points considered in the selection of materials are:
 - a. individual merit of each item
 - b. popular appeal/demand
 - c. suitability of material for the clientele
 - d. existing library holding
 - e. budget
2. Reviews are a major source of information about new materials. The primary source(s) or review(s) is (are) Booklist, *Omaha World Herald* reviews, public Library Catalog, and such internet sources as Amazon.com
3. The lack of a review or an unfavorable review shall not be the sole reason for rejecting a title which is in demand. Consideration is, therefore, given to requests from library patrons and books discussed on public media. Materials are judged on the basis of the work as a whole, not on a part taken out of context.

D. Interlibrary Loan

Because of limited budget and space, the library cannot provide all materials that are requested. Therefore, interlibrary loan is used to obtain from other libraries those materials that are beyond the scope of this library's collection. The only stipulation is that because of the limited budget, the library requires the patron, making the request to pay the return postage of the item requested.

E. Gifts, Donations, Displays on Loan

The library accepts gifts of books and other materials with the understanding that they will be added to the collection only if appropriate and needed. Donations other than books and monetary gifts must be approved by the library board. If they are not needed because of duplication, condition, unsuitable for the collection, or dated information the director can dispose of them as he/she sees fit. The same criteria of selection which are applied to purchased materials are applied to gifts. Memorial gifts of books or money are acceptable with suitable bookplates placed in the book. Specific memorial books can be ordered for the library on request of a patron if the request meets the criteria established by the library board. It is desirable for gifts or for specific titles to be offered after consultation with the library director. Book selection will be made by the director if no specific book is requested. The Gardner Public Library encourages and appreciates gifts and donations. According to the library's selection management policy, the library reserves the right to weed any donation. No display may be brought into the library without first clearing it with the librarian or library board. No display may be noisy or distracting. All displays must be removed from the library after 30 days.

F. Weeding

An up-to-date, attractive and useful collection is maintained through a continual withdrawal and replacement process.

Replacement of worn volumes is dependent upon current demand, usefulness, more recent acquisitions, and availability of newer editions. This ongoing process of weeding is the responsibility of the library director and is authorized by the Board of Trustees. Withdrawn materials will be handled in a similar manner and under the same authority as donated materials.

G. Potential Problems or Challenges

The Gardner Public Library recognizes that some materials are controversial and that any given item may offend some patrons. Selection of materials will not be made on the basis of anticipated approval or disapproval, but solely on the basis of the principles stated in this policy.

The responsibility of reading of children rests with their parents or legal guardians. Selection of library materials will not be inhibited by the possibility that materials may come into the possession of children.

Library materials will not be marked or identified to show approval or disapproval of their contents, and no library material will be sequestered except to protect it from damage or theft.

H. Challenged Library Materials

Although materials are carefully selected, there can arise differences of opinion regarding suitable materials. Patrons requesting that material be withdrawn from or restricted within the collection may complete a "State of Concern About Library Resources" form which is available in the library. If the issue of the material in question cannot be resolved by the library staff to the satisfaction of the patron and the library director, inquiry will be placed on the agenda of the next regular meeting of the Gardner Public Library Board of Trustees.

Circulation Policy

A. Registration

All borrowers must be registered and must have a valid local patron card to borrow library materials. Patrons must fill out an application form to register for a new library card. The following statement will be printed on the registration form for the patron's information and acceptance:

"I agree to be responsible for all items borrowed with the library card issued in the above name, including items borrowed with it by others with or without my consent, unless I have previously reported the loss of my card. I promise to comply with all library rules and policies both present and future, and to give prompt notice of change of address or loss of library card."

Signature _____

Identification is required. A driver's License or student ID is preferred; however, any other official ID or recent non-personal piece of mail may be acceptable.

Applicants under 16 years of age must have a parent or guardian given their consent on the application form before a new card can be issued. This parental signature is not required for children who are renewing cards.

Materials cannot be checked out until a library card is issued.

B. Lost or Forgotten Cards

If a patron loses his/her library card, he/she should notify the library as soon as possible and request replacement. A library patron will be issued one free library card. If the card is lost or destroyed and needs to be replaced, the patron will be charged a fee of \$3.00 for the replacement of the card.

All patrons, adult and juvenile, are expected to bring their library cards with them if they intend to check out items. An individual who repeatedly ignores this expectation may be denied the privilege of checking out materials until they present their card at the library.

C. Loan Periods

1. Two weeks for books, periodicals, and audio cassettes or CD's.
2. Generally, reference books do not circulate. Upon request, some reference material may be checked out overnight.
3. Interlibrary loans are due by the date indicated by the lending library.
4. Books, periodicals, and audio cassettes or CD's may be renewed once.
5. Current issues of periodicals do not circulate.
6. One week for videos and are renewable once.

The director may establish the loan period for special collections, materials which are temporarily in great demand, such as for student projects, or materials added to the collection which are in a new format, e.g., computer software.

There is no limit on the number of items a patron can borrow at one time, with one exception – two videos per family per checkout.

D. Reserves

Reserves may be placed by patrons either in person or over the phone. Patrons will be notified when the materials are available.

E. Fines and Charges

There is a fine of five cents per day, per item for overdue materials. A first notice is sent after the material is due. If the material is not returned within a designated period, a bill will be sent for the material with the cost of replacement of the material. Patrons who have been notified personally or by phone, or sent an overdue notice shall be denied borrowing privileges and use of the computers until those overdue materials are returned or paid for if lost and/or damaged.

F. Damaged Materials

If materials are damaged so as to be judged by the library as being unsuitable for the library collection, the patron must pay the replacement cost. A notice of these charges will be sent to the borrower; a sample of the notice follows:

Dear _____

At the time a library patron borrows materials from the public library collection, the patron accepts responsibility for the care and timely return of the material. Recently materials checked out on your library card were returned to the library

damaged beyond the point of being usable in the library collection. The titles and costs of these materials are listed below.

_____ \$ _____

Your assistance in clearing this matter promptly will be appreciated and will be necessary in order to retain your borrowing privileges.

Thank you for your assistance.

Sincerely,

G. Confidentiality

As specified in the Nebraska State Statute §§ 84-712-05: The following records, unless publicly disclosed in an open court, open administrative proceeding, or open meeting or disclosed by a public entity pursuant to its duties, may be withheld from the public by lawful custodian of the records: Item 10: Records or portions of records kept by a publicly funded library, when examined with or without other records, reveals the identity of any library patron using the library's materials.

The Gardner Public Library adheres strictly to all sections of this Statute regarding the protection of the confidentiality of its users.

Reference Service Policy

The Gardner Public Library:

- will provide information in the form of short answers to specific questions and guidance in locating material for patrons who appear in person, call on the telephone, or request information through correspondence;

- will assist patrons in the use of the library and teach basic research methodology, when appropriate (this includes providing help in developing a research strategy and advice on whether a trip to the library would be worthwhile for individuals who telephone);

- will provide bibliographic verification of items both in the library and not owned by the library and will assist patrons in obtaining materials through interlibrary loan, when appropriate;

 - may refer library users to other agencies and libraries in pursuit of needed information;

 - may use not only the library's resources in printed form but consult appropriate digital resources as well as the regional resource library and other agencies by telephone in pursuit of "ready reference" information.

Programming Policy

A "program" is planned between the library staff and the program participants for the purpose of promoting library materials, facilities, or services, as well as offering the community an informational, entertaining, or cultural experience.

Programming includes such activities as story hours, films, summer library programs for children and young adults.

The board, in conjunction with the library director, will establish a budget and goals for programming to facilitate the effective implementation of this service.

Gardner Public Library Public Relations Policy

- A. Public relations goals of the Gardner Public Library: to promote good understanding of the library's objectives and services among governing officials, civic leaders, and the general public; to promote active participation in the varied services offered by the library to people of all ages.
- B. The board recognizes the public relations involve every person who has connection with the library. The board urges its own members and every staff member to realize that he or she represents the library in every public contact. Good service supports good public relations.
- C. The library board will establish a publications budget to cover costs related to printing, publication, supplies, and miscellaneous needs to the public relations effort.

Gardner Public Library Equipment Use Policy

Computers are available to patrons on a first-come, first served basis. There is not charge for the use of the computer. Library staff is available for general assistance in using the computer; however, the staff is not expected to train patrons in the use of application programs.

A session of 60 minutes on the computer will be guaranteed. When needed first computer user on will be the first user off.

No disorderly conduct. No loud or abusive language. No computer use with any overdue fines of more than \$5.00. No computer use with any fines remaining unpaid after 2 months. Violations can result in the loss of library privileges, including borrowing privileges and access to the library building.

A printer is available. Printer paper will cost \$.20 per sheet for black and white and \$.50 for color copies and must be paid for at the conclusion of the session.

A photocopy machine is available to patrons who wish to copy materials at the above stated rates.

Copy machine users are advised there are restrictions on copyrighted materials. Any violation of copyright is the responsibility of the copy machine user.

A fax machine is available for patrons at the cost of \$1.00 per page to send and/or receive.

Internet Use Policy

The Gardner Public Library is providing access to the Internet as a mean to enhance the information and learning opportunities for the citizens of the library's service area. The Gardner Public Library Board of Trustees has established the Internet Use Policy to ensure appropriate and effective use of this resource.

Access to the Internet is available to all patrons; however, this service may be restricted at any time for use not consistent with the guidelines. Parents of minor children must assume responsibility for their children's use of the library internet service. Prior to being granted access to the internet, anyone under 18 years of age, along with a parent, must sign the Internet Use Agreement.

Expectations: Users should be aware of that the inappropriate use of electronic information resources can be a violation of local, state, and federal laws and can lead to prosecution. The user will be held responsible for his/her actions using the internet. Users are expected to abide by the policies which include generally accepted rules of network etiquette. Unacceptable uses of the service will result in the suspension or revocation of internet use privileges.

Warnings: The internet is a decentralized, unmonitored global network. The Gardner Public Library has no control over the content found there. The library will not censor access to material nor protect users from offensive information, and it is not responsible for the availability and accuracy of information found on the internet.

The library cannot assure that data or files downloaded by users are virus free. The library is not responsible for damages to equipment or data on a user's personal computer from the use of data downloaded from the library's internet service.

The use of the internet and email is not guaranteed to be private. Messages relating to or in support of illegal activities will be reported to the proper authorities.

Guidelines: Users may use the internet for research and the acquisition of information to address their educational, vocational, cultural, and recreational needs.

Users may use the internet for the receipt and transmission of electronic mail (email) as long as they use a free email service which will establish and maintain an account for them. The library is unable to manage email accounts for any organizations or individuals.

Internet is offered on a first-come, first-serve basis. Each user is allowed one session – if there is no patron waiting for the service at the end of the session, the user can have another session. The user must abandon use of the internet during the second session if another patron requests use of the service.

Users will respect and uphold copyright laws and all other applicable laws and regulations. They will not use the internet for illegal purposes.

Users will respect the rights and privacy of others by not accessing private files.

Users agree not to incur any costs for the library through their use of the internet service.

Users shall not create and/or distribute computer viruses over the internet.

Users shall not deliberately or willfully cause damage to computer equipment.

Meeting Room Policy

The library meeting room is available to individuals or educational, non-profit organizations within the library service area. Exceptions may be made by the library board if the board deems extenuating circumstances are involved.

The fact that the group is permitted to meet at the library does not in any way constitute an endorsement of the group's policies or beliefs by the library staff or board.

The room may be reserved no more than sixty days in advance and no group may reserve the meeting room on a permanent long-term basis.

If the meeting room is to be used when library staff is not in the building, arrangements can be made with the librarian. The person requesting the use of the meeting room will be responsible for making arrangement with the librarian to obtain a key to the meeting room door and will be responsible for prompt return of the key and replacement of the key and locks if the key is lost or not returned to the library. The key is to be placed in the library drop box at the completion of the meeting.

It is understood that library programming will have first priority in use of the meeting room.

There is no set charge for the use of the meeting room, but a donation of \$10.00 per hour is welcome.

Refreshments may be served and shall be provided by the group reserving the meeting room. No smoking or alcoholic beverages are allowed.

The group using the meeting room shall leave it in a neat, clean, orderly condition. If not, the group/individual will be given notice that continued offense will result in denied access to the meeting room.

The library is not responsible for any equipment, supplies, materials, clothing, or other items brought to the library by any group or individual attending a meeting. No group meeting in the library may store any materials or equipment in the library after the meeting. All items must be removed at the end of the meeting.

The library staff does not assume any liability for groups or individuals attending a meeting in the library.

I agree to abide by the above meeting room policies:

Signed: _____

Date: _____

Group reserving the room: _____

Meeting room reserved for the following date: _____

Displays and Exhibits Policy

As an educational and cultural institution, the Gardner Public Library welcomes exhibits and displays of interest, information and enlightenment to the community. Displays of handiwork, historical material, nature study, or any other material deemed of general interest may be exhibited. The director shall accept or reject material offered for display based on its suitability and availability.

The library assumes no responsibility for the preservation or protection, and is not liable for possible damage or theft of any item displayed or exhibited. All items placed in the library are there at the owner's risk.

Areas available to the public for displays and exhibits are the glass exhibit cases, the meeting room, and the general bulletin board. A release must be signed by the exhibitor before any artifact can be placed in the library. An example of the release follows:

Public Library Display and Exhibit Release Form

I, the undersigned, hereby lend the following works of art or other material to the Gardner Public Library for exhibit purposes only. In consideration of the privilege of exhibiting them in the library, I hereby release the library from responsibility for loss, damage, or destruction while they are in the possession of the library.

Exhibition to be held in the _____
Exhibitor's Name (please print) _____
Address _____
Telephone _____ Cell _____
Description of materials loaned _____
Signature _____ Date _____

Public Notice Bulletin Board Policy

Bulletin board materials may be submitted for posting by non-profit organizations for civic, educational, or cultural purposes. Such organizations may submit literature publicizing a specific event. Limited space generally allows only short-term notices. The director must approve all postings and may prohibit postings which do not meet library standards. Library staff will place and remove postings promptly.

Each item posted must be dated and signed. A request for return of the items, along with the name and telephone number of the person to be contacted, should be printed on the back of each article. Unless such arrangements are specified, items must be picked up the next regular business day following the date of the publicized event if the owners want them returned. Otherwise the library will not be responsible for returning the materials.

Emergency Policies

Fire: Do not panic, but do not under-estimate the potential danger to customers or staff represented by a fire. At the first indication of smoke or flame, investigate the situation to determine the location and the extent of the fire. If the fire can obviously be contained and extinguished quickly and safely by staff, proceed to do so. However, if there is any doubt about whether it can be controlled, immediately call 911 or the fire department and then clear the building.

The time to think about fires is before they happen. Familiarize yourself with the volunteers to this information. Library staff should occasionally have fire drills and respond as they would in case of a real fire.

Health emergencies: Staff members should exercise caution when administering first aid of even minor nature because of the safety of the injured individual and the potential liability of the staff member. Without specialized training it is not advisable for the staff to undertake more than keeping the sick or injured person comfortable and protected from needless disturbance until medical help can be obtained. Since each case is unique, staff members should use their own judgment to do what is prudent and reasonable.

The Rescue Squad/Police (911) should be called immediately in the event of any serious problem.

No medication, including aspirin, should ever be dispensed to the public.

EMERGENCY SITUATIONS

An emergency situation can be defined as any situation in which a person's actions present an imminent danger to the life or safety of himself/herself, others, or to library property. Such incidents may include assault and other crimes of violence, or the threat to attempt to commit such crimes. Library staff will call the police immediately if such behavior should occur.

EMERGENCY MEDICAL SITUATIONS

If the person is conscious, offer help and try to get identification. Remain calm, supportive, sympathetic, and see that the person is comfortable. Keep other people away. Call 911 and meet the rescue squad to direct them to the accident. A person who wishes to leave the library, obviously not well, cannot be stopped by a staff member.

FIRE

Staff will follow fire safety procedures. In case of a false alarm, staff will call 911 and report such activity. Fire personnel will deactivate the alarm.

Bomb Threats or Any Other Types of Threats to Library Personnel

Keep the caller on the line as long as possible. Ask the caller to repeat the message and try to write down every word spoken by the person.

If the caller does not indicate the location of the bomb or the time of possible detonation, **ASK FOR THIS INFORMATION.**

Pay particular attention to peculiar background noises such as motors running, background music, and any other sounds which may indicate the location from which the call is originating.

Listen closely to the voice (male/female), voice quality (calm/excited), accents, and speech impediments.

Immediately after the caller hangs up, call the police. Clear the building. The police will handle the actual search of the library premises for bombs, etc.

Weather-Related Emergencies

The library will follow the recommendations and actions of the city during library hours. Closing during other days and hours will be at the discretion of the library director. All employees need to know where to go in case of inclement or severe weather.

INCLEMENT WEATHER

In case of inclement weather, such as tornadoes the staff will alert the public and since the library does not have a basement, will direct patrons to the north storeroom. The circulation desk will close. In the case of unattended children, the staff directs them to shelter. A person who wishes to stay in the main library proper cannot be forced to take shelter elsewhere.

Gardner Public Library Patriot Act Policy

Policy and Procedures in Response to the USA Patriot Act of 2001

The Gardner Public Library protects the privacy of library records and the confidentiality of patron use of the library as required by relevant laws. In addition, the Gardner Public Library Board supports the principle of freedom of inquiry for library patrons, and has adopted this policy to protect against the unwarranted invasion of the personal privacy of library users.

The Gardner Public Library supports the efforts of our government to protect the country from terrorist acts and preserve our freedom and security. As a public library, we face the

dilemma of having the responsibility of protecting the privacy of our patrons while responding to legitimate national security concerns. The Gardner Public Library recognizes the confidentiality of patron registration and circulation records, as specified in the Nebraska State Statute §§ 84-712-05: The following records, unless publicly disclosed in an open court, open administrative proceeding, or open meeting or disclosed by a public entity pursuant to its duties, may be withheld from the public by lawful custodian of the records: Item 10: Records or portions of records kept by a publicly funded library which, when examined with or without other records, reveal the identity of any library patron using the library's materials. However, in the matters of national security concerns, Federal law (specifically the Patriot Act) can supersede state law.

The Gardner Public Library strives to create a library environment that is:

1. A safe and crime free place.
2. A place for learning and pursuit of knowledge and information on any topic.
3. A place where patrons can ask any questions and discuss any topic.

The Gardner Public Library will do its utmost to uphold the privacy and confidentiality to patrons' free access to information. The library will rely on existing laws and library policies to control behavior that involves public safety or criminal behavior.

About the USA Patriot Act of 2001

HR-3162 became Public Law 107-506 in response to the events of 9/11/01. The full title of the law is: Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001.

The Act may provide law enforcement broader boundaries when investigation information accessed and transmitted by patrons with regards to national security concerns.

Access to patron information may include but not be limited to:

1. Circulation records
2. Computer use records
3. Meeting room use records
4. Inter-library loans and holds records
5. Reference interviews

The Gardner Public Library Safety Policy

No person shall engage in inappropriate conduct on the premises of the Gardner Public Library or when participating in the public library programs.

Inappropriate conduct shall include any individual or group activity which is disruptive to other persons lawfully using the library premises or otherwise inconsistent with activities such as reading, studying, proper use of library materials, and other similar conduct normally associated with a public library. Library users are required to observe the rules governing the use of the Gardner Public Library.

Support of Staff Member Actions

A library staff member who has acted on their best judgment in confronting a person will be supported by the library director, the person in charge, and the library board.

Any staff member who observes or receives complaints or inappropriate behavior may:

- Handle the problem directly with the patron. Staff should use their judgment as to whether the situation requires assistance from another staff member.
- Immediately telephone the police if the situation is of a severe, violent, or medical emergency situation.
- Contact the supervisor in charge if the situation is of a nature that the staff member chooses not to confront the patron.
- At any time contact the policy if the patron is not responding to staff requests to conform to library rules.

In all cases, the library director should be notified as soon as possible when the staff member confronts a library user who violates the library rules. The library director will be responsible for notifying the library board if necessary.

Incident Reports

Incident reports must be filed in all cases when it is necessary to call for outside help and in other situations where the administration and staff should be informed because of possible repercussions. Copies of reports will be sent to the library board and kept at the circulation desk. A log of incident reports, patrons banned, and problem patrons will be available for staff and police to review in case of repeat offenders. A calendar will be used to keep track of dates of offenses and the time period a patron is banned. In addition to written reports, staff members are encouraged to talk through upsetting incidents to share their knowledge of possible problems with other staff who might be involved.

Inappropriate Conduct and Minor Offenses

The following shall be deemed inappropriate and considered to be minor offenses:

Sleeping; excessive and disruptive conversations; use of cell phones; eating or drinking in a public area of the library; monopolizing or removing from the shelves unreasonable numbers of library materials at any given time; unauthorized canvassing, selling, soliciting, or engaging in any other commercial activity; violating internet and computer policies; excessive bothering or staring at patrons or staff; preventing staff from normal, reasonable, clean-up, re-shelving activities, especially 10 minutes before closing; being in a state of intoxication; smoking; bringing any animal into the library, except working animals which assist the disable or to be a part of a reading program; other activities (not listed as Major Offenses) which are inconsistent with activities such as reading, studying, and use of library materials and other similar conduct associated with the use of public library.

Treatment of Minor Offenses

- One warning for first infraction of any offense.
- Second infraction within thirty days results in removal from the library premises for one week. Parents of children under 18 will be notified in writing when their child commits a second infraction and has been removed from the library.
- Third infraction within sixty days or continuous repeated infractions may result in banning from the library premises for not less than 2 weeks or more than six months.

Inappropriate Behavior or Major Offenses

Any persons violating the following rules will be immediately removed from the library.

Stealing, defacing or damaging library property; abusive indecent, profane or drunken conversation or behavior; committing any crime, misdemeanor, or violation of a municipal ordinance, not covered under “minor offenses”, on the premises of the library; knowingly entering non-public areas of the library.

The patron may be banned for a period of up to six months at the discretion of the Library Director, depending on the nature and the seriousness of the offense which required the removal, the extent of damage or disruption caused, whether there was any history or prior infraction of library policies and other relevant circumstances.

Banning Procedure

After staff consultation regarding repeat or major behavioral problems, and it is determined that a person should be banned:

1. The supervisor in charge will make a recommendation to the Director detailing the reason for the proposed banning.
2. The director will consult with the supervisor and provide a written decision.
3. The written decision shall set forth the period during which the patron shall be banned from the library and shall specify the reasons for the determination.
4. The patron and all staff will be notified in writing of the reasons for and length of the banning. A copy will also be sent to the police and the Library Board President.
5. The Director may review or reconsider the decision upon written request of the patron and may shorten or terminate the banning period if information submitted by the patron warrants such modification. The Director will respond in writing and notify the individual of the appeals process.

Repeat Offenders

Any person who enters or remains on library premises after having been notified by an authorized individual not to do so, and any person who enters or remains on the library premises during the period in which he/she has been banned from the library, will be subject to arrest and prosecution for trespassing.

After the banning period has elapsed, the patron may apply for re-admission through administrative channels. However, he/she will need to be prepared to show evidence that the offending behavior will not re-occur. In the absence of valid documentation (from a social worker, doctor, or police) application may be denied.

In the event that a person is granted re-admission and then exhibits any of the behaviors described earlier, they will be denied access with no further possibility of reinstatement.

Specifics to Library Rules

UNATTENDED MINORS

Children five years of age and under must be closely accompanied at all times by an older responsible person. The child's parent will be contacted if the child is left unattended. The library reserves the right to turn over to the proper authorities minors (under age 16) left unattended for extended periods of time or left after library hours.

INAPPROPRIATE USE OF CHILDREN'S SERVICES

If an adult in children's services is not involved in appropriate use of the children's library materials and is observed by staff to be spending an unnecessary and unusual amount of time in children's services, such person will be asked to use other areas of the library. If the person does not comply or repeats, consequences will follow those under "Treatment of Major Offenses and Inappropriate Behavior".

INAPPROPRIATE PERSONAL HYGIENE

Patrons whose bodily hygiene is so offensive as to constitute a nuisance to other persons shall be required to leave the building. When the problem is corrected, the patron may re-enter the library.

THEFT AND VANDALISM / ILLEGAL ACTIVITIES

The police will be called when a patron attempts to steal or maliciously destroy library and/or personal property (belonging to staff and/or patrons). The library will prosecute anyone who steals or maliciously destroys library property. When other illegal activities (e.g. indecent exposure) are committed by a patron, the library will prosecute.

The Gardner Public Library Policy and Procedures Regarding Information Access and Confidentiality

The Gardner Public Library will comply with law enforcement when supplied by a legal subpoena or warrant.

Rules to be followed by library staff:

1. As required by state law, library staff may only disclose library records indicating the identity of library users under the following conditions:
 - a. disclosure to staff members of the Gardner Public Library, and the staff of other libraries and library systems only according to written procedures that comply with the laws cited above and that are approved by the director.
 - b. disclosure as authorized by the individual library user
 - c. disclosure pursuant to court order (see below for handling of different types of court orders).
2. Library staff must refer all requests for library records and all requests for information about particular library users to the library director or the library director's designee.
3. Library staff are not allowed to share information about the use of library resources and services by identified library patrons except as necessary for the performance of their job duties and in accordance with procedures approved by the library director and/or board.

Handling of Court Orders

[Note: All search warrants are court orders, but not all subpoenas are court orders. Library staff may not disclose library records in response to a subpoena that is not a court order if those records indicate the identity of library users.]

If a law enforcement officer (or anyone else) brings a subpoena directing library staff to produce library records:

1. Notify the library director, or if the director is not available, notify the highest-ranking staff person on duty.
2. The library director or the highest-ranking staff person should ask the city attorney (or library counsel) to review the subpoena.
3. If the subpoena has any legal defects, require that the defects be cured before records are released.
4. If appropriate, ask legal counsel to draft a protective order to be submitted to the court keeping the requested information confidential and limiting its use to the particular case.
5. Follow the legal counsel's advice for compliance with the subpoena.

If law enforcement officers bring a court order in the form of a search warrant:

1. A search warrant is executable immediately, unlike a subpoena. The law enforcement officers may begin a search of library records as soon as they enter the library.
2. Request that the law enforcement officers wait until the city attorney (or library counsel) is present before the search begins in order to allow counsel an opportunity to examine the search warrant and to assure that the search conforms to the terms of the search warrant. (The law enforcement officials are not required to accede to your request to delay the search).
3. Cooperate with the search to ensure that only the records identified in the warrants are produced and that no other users' records are disclosed.

If Federal Bureau of Investigation (FBI) agents bring a court order in the form of a search warrant issued under the Foreign Intelligence Surveillance Act (FISA):

1. A search warrant is executable immediately, unlike a subpoena. The FBI agents may begin a search of library records as soon as they enter the library.

2. Request that the FBI agents wait until the city attorney (or library counsel) is present before the search begins in order to allow counsel the opportunity to examine the search warrant and to assure that the search conforms to the terms of the search warrant. (The FBI agents are not required to accede to your request.)
3. Cooperate with the search to ensure that only the records identified in the search warrant are produced and that no other users' records are disclosed.
4. It is illegal to disclose to any other person (other than those persons necessary to produce the tangible thing sought in the warrant) that the FBI has sought or obtained records or other items under FISA.

Staff Procedures

1. If anyone approaches you alleging to be law enforcement official requesting information, do not disclose to that individual any information. If anyone other than the library director is on staff, immediately contact the library director.
2. The library director will ask to see official identification and will photocopy the ID.
3. If the library director is not available, contact the city attorney immediately. If the city attorney is not available, then contact the city mayor or the city administrator.
4. If law enforcement presents a subpoena, the director will direct the subpoena to legal counsel.
5. If a warrant is presented, do not interfere with their search and seizure. If the library director is not on duty, contact the director as soon as possible. If the director is not available, contact the city attorney immediately. If the city attorney is not available, then contact the city mayor or the city administrator.
6. Keep a record of all legal requests.
7. Keep a record of all costs incurred by any search and/or seizure.
8. If a "Gag Order" is not in effect, the director will notify the American Library Association.

Revision of Library Policies

The preceding statements of the Gardner Public Library's policies shall be subject to review and needed revision at least every five years by the library board. Individual policies will be reviewed and added as needed.

Adopted: December 28, 2004

Revised: August 9, 2005

Revised: October 26, 2005

Revised: February 10, 2014

Revised: September 26, 2017

Revised: September 19, 2019

Revised: June 7, 2021