

Tyler Public Library
POLICY

TITLE: **CIRCULATION POLICY**
EFFECTIVE DATE: 2013-10-01
AUTHORIZED BY: Tyler Public Library Board

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I. Purpose

(A) One of the primary purposes of the public library is to bring people together with the information they need. In keeping with this mission, the Tyler Public Library strives to maintain the most liberal lending policy possible without allowing some borrowers to abuse their borrowing rights to the detriment of others.

(B) This policy applies not only to the general public, but also to staff, board members, Friends of the Tyler Public Library and library volunteers.

Only materials ready for circulation and properly checked out may be taken from the library.

(C) This policy is also designed to ensure that all users have equitable access to the services and materials of the Tyler Public Library regardless of race, color, sex, national origin, age, religion or disability.

(D) The library patron is the most important person in the library. Service to patrons is not an interruption of work, but rather the purpose of it.

II. Eligible Card Holders

(A) The library issues library cards to individuals or organizations. Library cards are issued to City of Tyler residents for a three-year period. Library cards may be issued to non-residents of the City of Tyler for up to a one-year period for a membership fee. All borrowers must be registered and must have a valid library card to borrow library materials.

(B) The library also issues eCards to residents of the City of Tyler. Electronic cards can be used to gain immediate access to digital resources. These cards must be upgraded in house to check out physical items.

(C) Any individual who pays property tax to the City of Tyler is classified as a resident and is eligible to receive a free Tyler Public Library card. Renters who reside inside the city limits are also granted resident privileges. Proper identification is required. Patrons must apply in person and fill out an application form to register for a new library card. All adult applicants must present a photo ID and acceptable name and current address identification at the time of application for a library card or for replacement of a lost card. Such identification includes a valid Texas driver's license, Texas State ID card, military ID, valid United States passport, or official mail (i.e., utility bill, lease agreement, etc.) postmarked within 30 days. A library card application is appended to this policy.

(D) Non-residents who live within the boundaries of Smith County or elsewhere in Texas may also apply with proper ID. Non-residents may

purchase a yearly membership for \$90.00, a six month membership for \$50.00, monthly membership for \$10.

- a Veterans and Seniors (65+) who live outside of city limits may get a card for half the price of a normal membership. \$45 for a year, \$25 for six months, and \$5 for a month.
- (E) Individuals residing at the Salvation Army who request a library card will be classified as Salvation Army. Any other individual residing at the Salvation Army must present a letter from the Salvation Army stating that he or she is staying there, along with a valid Texas state ID card, Texas driver's license, United States passport, or Gateway to Hope ID for photo verification.
- (F) Registered library users are responsible for informing the library of any name, address or status changes.
- (G) Renewals of library cards are possible so long as patrons remain eligible. A patron not using his card within one year of the expiration date may have his registration purged and will have to reapply.

To renew a library card, patrons must produce identification as described in this Section, and must clear all outstanding fines and bills. The use of the library may be denied for due cause. Such cause may be failure to return library materials or to pay penalties, destruction of library property, and disturbance of other patrons or any other illegal, disruptive or objectionable conduct on library premises.

- (H) Only one card will be issued to each individual.
- (I) Cards will not be issued to individuals having overdue materials or fines.
- (J) Cards may be issued to children at any age. Applicants under 18 years of age are required to have their parent or legal guardian's signature on the card application. The parent or guardian must be present and show proper identification with current name and address. Cards for minors will not be issued if the guardian owes \$25 or more in fines and fees.

Parents or guardians applying for cards for pre-schoolers must have each child present to be issued cards. A child residing in two households will be issued a card based on the address of the child's primary residence,

unless proof of joint custody is produced in which case the parent or legal guardian accompanying the child can choose which address to attach to the child's library card.

- (K) City of Tyler community organizations, city departments and local businesses may be issued organizational borrower's cards for use by authorized individuals when the organization needs to borrow library materials for organizational purposes. The head of the organization must sign the application form and supply acceptable identification for the organization and a list of authorized individuals. These individuals will then be issued separate cards. The organization, city department or business assumes responsibility for any library materials checked out on the card(s). Organizational cardholders will assume all rights and responsibilities held by individual cardholders. These cards will be issued for one year. Renewals are possible as long as organizations remain in business. Organizations outside the City of Tyler should apply directly to their home libraries. It is the responsibility of the head of the organization to inform the library of staff changes. Non-resident City of Tyler employees may register without charge.
- (L) Temporary residents: Any individual residing in Tyler on a temporary or part-year basis may be issued a card upon providing local address verification. A suitable expiration date will be determined. Permanent address identification must be presented and the information entered into the patron record. These cards are free as well.

III. Limitations on Borrowing

- (A) In order for all users to receive efficient and accurate service, borrowers are required to present their library cards each time they check out or renew materials. A one-time check-out will be allowed if the patron presents a valid form of photo identification, such as valid Texas driver's license, Texas State ID card, military ID, valid United States passport, or Gateway to Hope ID.
- (B) Any borrower with materials, fines or fees due may not check out library materials until the matter is resolved. It is left to the Circulation Supervisor's discretion to set up a payment plan with the patron.
- (C) Reference materials, reserve items, all newspapers and the current issues of magazines are non-circulating and may not be checked out.

(D) Users without their library cards or identification may request that selected items be held for them for three days. Materials found on the shelf in the library in response to telephone requests may also be held for three days for pickup.

(E) It is the policy of the library that responsibility for the use of library materials by children rests with their parents or legal guardians. Therefore, no borrowing restrictions are placed on children once they have obtained their parent's signature on the library application. Parents wishing to restrict their children's borrowing of library materials may ask that a note restricting access be placed on their child's record.

(F) The library does place some limitations on the number of items that may be checked out on one library card at one time:

- (1) Music CDs – six items
- (2) DVDs – six items
- (3) Audiobooks – six items
- (4) Games – three items
- (5) Books – fifty items
- (6) Language kits – one item
- (7) American Girl Dolls – one item
- (8) E-Readers/Kindles – one item
- (9) Tablets & Hotspots – one item
- (10) Early Literacy Kits – one item
- (11) STEAM Kits – one item
- (12) Playaway – five items
- (13) Playaway Views – five items
- (14) Overdrive titles – five

(15) Seeds – ten items

(G) The maximum number of items that a patron may have on his account is 50. A limit of two items will be placed on individuals residing at a temporary address i.e. Salvation Army.

(H) Circulation services conclude at closing. The only exception is that patrons with materials in hand may check out.

IV. Loan Periods

(A) Books, audiobooks, literacy kits, music CDs, and games have a loan period for up to 21 days.

(B) DVDs and magazines (non-current) have a loan period for up to seven days.

(C) Language kits have a loan period for up to 6 weeks and renewal is not allowed.

(D) A renewal period of the same length as the initial loan period is granted for any item except language kits, kindles, literacy kits, and games unless it has been placed on hold for another patron. Items may be renewed twice. Renewal items do not have to be in-hand to be renewed.

(E) Patrons must be able to supply their barcode numbers when renewing items.

(F) The loan periods and renewal rules for interlibrary loan material are determined by the lending institutions.

(G) The Tyler Public Library lends its materials to all qualified libraries. Requests for materials or photocopies from individuals or libraries outside of reciprocal borrowing agreements need the approval of the City Librarian.

V. Return of Library Materials

(A) Tyler Public Library material may be returned to the book drop or remote book drop locations. All materials returned to the book drop will be backdated to the previous pickup day.

(B) Requests for immediate check-in will not be honored unless the items in question have fines or fees.

(C) Receipts for returned items will not be given.

VI. Overdue Materials/Fines

(A) Materials are considered overdue if not received by the date due. Materials returned in the book drop when the library is not open are considered to have been returned on the last open day of the library.

(B) The library charges fines of 25 cents (\$.25) a day per book, magazine and audiobook overdue. A \$1 fine per day is charged for overdue DVDs, Literacy Kits, Tablets & Hotspots, and Games. A \$5 late fine per day is charged for overdue Kindles. There is a \$10 limit per item for overdue material. A fine of any amount will result in loss of library privileges until the fine is paid or a payment plan is agreed upon with the Circulation Supervisor. If fines are accrued, they may be paid out by paying 10% or \$1, whichever is greater, at each checkout period. If total fines due exceed \$100, half of the total due must be paid before checkout is allowed, and payments of 10% may continue for following checkouts. If additional fines are accrued while paying out a previous fine, the library account will be barred from checking out until all fines are paid in full.

(C) An overdue notice will be sent when items are 1, 7, 14 and 41 days overdue. Patrons must provide a valid email address to receive these notices.

(D) If items are not returned before six weeks overdue, a final billing notice will be sent for the replacement cost of the overdue materials plus a \$5 per item service charge for processing, cataloging and postage. Patrons who have overdue items will be notified that they are in violation of City Code Section 9-1 b. 2. Borrowing privileges will be denied to patrons with overdue materials until those materials are returned or paid for if lost or damaged. If warranted, a collection agency will be engaged.

(E) If a patron believes that the material for which he has been suspended has been returned or should not be his responsibility, he may file a written intent to appeal no later than two months from the date due. Borrowing privileges are reinstated until the appeal is heard. At least five weeks must elapse between the date the appeal is filed and the date it is heard.

At the appeal hearing, the patron will be required to meet with the City Librarian and present his case. Failure to reschedule the appeal on or before the appeal hearing date or to appear at the appointed time revokes the right to further appeal. The decision of the City Librarian may be appealed to the Library Board.

(F) At any time a patron may pay for material which he believes is irretrievably lost. If lost material is subsequently found and returned within one month from the date of payment, a refund for the cost of items valued at \$5 or more will be made minus a \$5 processing fee with the original receipt. Refunds will be made by check from the City of Tyler and issued and mailed to the patron according to the city's check writing schedule.

(G) The Tyler Public Library's overdue policies also apply to interlibrary loan materials loaned to the Tyler Public Library for local borrowers; however, borrowers will be held responsible for all special assessments placed by lending institutions.

VII. Lost or Damaged Materials

(A) A patron is responsible for all materials and equipment checked out on his library card. A patron is required to pay for material and equipment that is irretrievably lost or has been damaged while checked out. The prices charged for material which is lost or damaged beyond use are as follows:

(1) The current list price for all items plus a \$5 processing fee per item, which covers materials and work required to circulate the item, will be charged.

(2) An average replacement cost for that type of material plus a \$5 processing fee per item will be charged when current list prices are unavailable. Average replacement costs are determined by the Resource Services Librarian for each type of material the library owns. Circulation staff should refer to the replacement cost list to assess the cost of an item. This schedule of charges shall be reviewed annually by the City Librarian to reflect changes in the average cost of library materials and supplies.

- (B) In addition, at the Resource Services Librarian's discretion, the library assesses charges for material or equipment damaged beyond normal wear.
- (C) Patrons may supply a replacement copy of lost or damaged materials if the ISBN matches and the item is in excellent condition. A \$5 processing fee will still be assessed.

VIII. Replacement for Lost, Damaged or Stolen Library Cards

- (A) Cards which are lost or damaged beyond use will be replaced at a charge of \$1. Patrons will be required to purchase a new card after reporting a lost card.

IX. Holds

- (A) Requests for materials to be held may be accepted from registered patrons. Requests may be made in person, by phone, by email or through the online catalog. Callers must provide library card barcode numbers to request holds.
- (B) There is a limit of five holds per person per day that may be requested. There is a limit of three telephone requests per person per day.
- (C) Hold notices indicate a date after which materials will be returned to the shelves.
- (D) Patrons who fail to check out holds before the expiration date may have their names added to the bottom of the hold list. Patrons may request that their name be moved to the bottom of the waiting list of holds if they make the request before the hold is available.
- (E) Holds and equipment will only be given to the patron requesting them or to persons authorized by the individual. If patrons wish for their materials to be picked up by a family member, they may have a note added to their card expressing permission. If family members are linked, they may pick up items for each other provided they have that family member's card.

X. Privileges for Users

Patrons may access information about their library records, including holds and overdue materials, through their online account.

XI. Confidentiality of Library Records

(A) As specified in the Texas Public Information Act at Texas Government Code, Section 552.124, any public library record that identifies or serves to identify a person who requested, obtained, or used a library material or service is excepted from disclosure and is confidential unless the record is disclosed:

1. Because the library or library system determines that disclosure is reasonably necessary for the operation of the library or system and the record is not confidential under other state or federal law;
2. Under Section 552.023 which requires access to a person or a person's authorized representative to information that relates to the person and that is otherwise protected from public disclosure; or
3. To a law enforcement agency or a prosecutor under a court order or subpoena obtained after a showing to a district court that:
 - a. Disclosure of the record is necessary to protect the public safety; or
 - b. the record is evidence of an offense or constitutes evidence that a particular person committed an offense. The Tyler Public Library strictly adheres to all sections of this Statute regarding the protection of the confidentiality of its users.

(B) Information concerning overdue materials or materials placed on hold may be given out only to persons authorized by the individual cardholder who provides the barcode number from the card in question. Individuals may be asked to present identification in person to receive this information.

XII. Library Theft Law

See also Texas Penal Code and 31.03 (regarding theft)

Whoever intentionally takes and carries away, transfers, conceals or retains possession of any library material without the consent of a library official, agent or employee and with intent to deprive the library of possession of the material may be penalized.

The concealment of library material beyond the last station for borrowing library material in the library is evidence of intent to deprive the library of possession of the material. The discovery of library material which has not been borrowed in accordance with the library's procedures or taken without consent of a library official, agent or employee and which is concealed upon the person or among the belongings of the person or concealed by a person upon the person or among the belongings of another is evidence of intentional concealment on the part of the person so concealing the material.

An official or adult employee or agent of the library who has probable cause for believing that a person is attempting to steal library materials, in his or her presence, shall immediately contact law enforcement and may attempt to detain without the use of force for a reasonable length of time to deliver the person to a peace officer, or to the person's parent or guardian in the case of a minor. The detained person shall be promptly informed of the purpose for the detention and be permitted to make phone calls, but shall not be interrogated or searched against his or her will before the arrival of a peace officer who may conduct a lawful interrogation of the accused person.

Procedure when the gate alarm sounds:

Ask the patron to return to the circulation desk.

Explain that something must have been missed during scanning and ask him to give you his receipt and stack of items.

Compare the receipt to the library items.

Scan and carry the items through the gate.

Ask the patron to come through the gate. If he sets the alarm off again and is carrying a bag, ask him if he has something he failed to check out. If theft is suspected, inform him he will have to wait for the police. Staff members may use their judgment; if it is suspected that he is setting it off with his keys or a metal plate, he can be allowed to go. If he is carrying a big bag or backpack and theft is suspected, tell him to wait.

If he refuses, write his name down along with a brief physical description and call a police officer.

All policies will be reviewed annually by staff, and significant changes will be brought to the Library Board.

Library Card Barcode: _____



Tyler Public Library

It is the responsibility of the library card holder to return all books and materials on time and in good condition. I will abide by all library policies, and I understand that if I do not keep a clear account my name may be handed over to a collection agency. This is a free service of your public library for everyone who lives within the city limits.

Cardholder: _____

Print Full Name (as it appears on your ID)

If under 12, name of parent or guardian: _____

Print Name

REQUIRED: Signature of cardholder

(or parent or guardian if under 12): _____

I agree to abide by the Library's rules and regulations.

If cardholder is under age 18, do you want to restrict checkout privileges by obtaining a restricted account? Yes___ No___

Home/Physical Address (Not P.O. Box) _____

City _____ State _____ Zip Code _____

Mailing Address (if not the same as above) _____

City _____ State _____ Zip Code _____

Telephone _____ **Date of Birth** _____ **Sex** _____ **Race** _____

e-Mail Address _____

(We only use your e-mail for sending notices about items you place on hold, overdue items, and mailing lists you opt into)

Would you like to receive the Library e-Newsletter (e-mail required) Yes ___ No___

Would you like to be added to the Friends of the Tyler Public Library email and mailing list?

E-mail: Yes___ No___ Mailing: Yes___ No___

Where did you hear about us? (Circle One): Social Media Internet Friend or Relative
Other _____

Are there any other adults who will be authorized to use this account? If so, please list their full names:

FOR LIBRARY USE ONLY

____ **Driver's License Number** _____

____ **Utility Bill** _____

____ **Other** _____

Staff Initials: _____ **Date:** _____