



L.E. Phillips Memorial
Public Library

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Category: Circulation and Collection
Development Management

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LOAN PERIOD IN DAYS

| | |
|---|---|
| Adult new fiction under 400 pages long | 14 days, two 14-day renewal periods (except for items with holds) |
| Adult new fiction 400 pages long or more | 21 days, two 21-day renewal periods (except for items with holds) |
| All other books, pamphlets, magazines, books on cassette/disc, compact discs, maps | 21 days, two 21-day renewal periods from date of renewal (except for items with holds on them) |
| Extended loan for art reproductions, materials taken for vacation (this applies only to materials which have a 21-day loan period with a 21-day renewal period) | 42 days, no renewals |
| iPads (14-day loan) | 14 days, no renewals |
| Videocassettes/DVDs | 7 days, two 7-day renewals. At the discretion of the audiovisual cataloger, a 21-day checkout period (with no renewal) may be given to certain videocassettes/DVDs/software that have |

All television series seasons regardless of length and all other visual media more than seven hours (420 minutes) long that are cataloged, packaged and circulated as one item

subject matter (i.e., a learning process) for which an extended period of time may be needed to master a particular technique.

14 days, two 14-day renewal periods (except for items with holds)

Videocassettes and DVDs required for specific show dates

With the permission of a Library Associate or Librarian, videocassettes and DVDs required for a specific show date can be given an extended checkout period up to 21 days. For any customer, these include public performance videos. For teachers, or those in an educational setting, these include any video being shown for educational purposes or as part of the class or the curriculum. As with any of the library materials, the customer is responsible for adherence to copyright laws.

INTERLIBRARY LOAN PERIODS IN DAYS

Large print books for groups for extended loan to System libraries

42 days

Books, pamphlets, magazines, audiocassettes, books on cassette/disc, compact discs, charts, maps

28 days

Census microfilm and videocassettes/DVDs/software

21 days

REFERENCE MATERIALS

Reference materials in the adult and juvenile collections are not loaned except in special cases and at the discretion of the Information & Reference desk or Youth_Services desk staff, who will determine the loan period.

NOTICES ON DAMAGED OR MISSING PARTS

Individual notice shall be sent requesting the return of missing parts or payment for missing or damaged parts.

OVERDUE NOTICES

The following overdue notice schedule shall be followed apart from noted exceptions:

- First notice at 15 days after due date
- Second notice at 30 days after due date
- Replacement bill at 45 days after due date

This schedule shall apply to adult, as well as children's items, but not for iPads or interlibrary loan materials.

For iPads, the following overdue notice schedule shall be followed:

- First notice at 2 days after due date
- Second notice at 5 days after due date
- Replacement bill at 7 days after due date

For interlibrary loan materials, the following overdue notice schedule shall be followed:

- First notice at 3 days after due date
- Second notice at 10 days after due date
- Replacement bill at 20 days after due date

After the 45 day notice library staff may attempt to secure the return of the library materials through individual letters and telephone calls. In addition, library staff may refer customers with overdue items to the City Attorney or the Police Department.

Staff may send bills to customers blocked for excessive fines or to any other customers with fines.

Information about uncollectible fines, overdue materials, and missing or damaged parts may be released to an outside agency for collection. Library staff may release information about overdue materials to such an agency when the customer has at least one item that is 60 days overdue and fines/fees totaling \$25.00 or more. The collection agency engaged in this task will be deemed an agent of the library and will be required to maintain confidentiality regarding the identity of any individual who borrows or uses the library's documents or other materials, resources or services.

FINES THRESHOLD

Items shall not be checked out to any customer with ten dollars (\$10) or more in fines or lost or damaged item charges.

iPads shall not be checked out to any customer with ten dollars (\$10.00) or more in fines and/or have lost or damaged items and whose custodial children have similar blocks.

FINE CHARGES

Fine charges for overdue items shall be 10 cents per day per item except for videocassettes, software and DVDs which are \$1.00 per day, interlibrary loan materials which are \$1.00 per day per item, and iPads which are \$10.00 per day.

The maximum fine per item shall be \$5.00 except for browsing paperbacks, magazines, pamphlets, interlibrary loan materials, and iPads. The maximum fine per item for iPads shall be \$100.00. The maximum fine for interlibrary loan materials shall be \$10.00 per item. The maximum fine per item for browsing paperbacks, magazines, and pamphlets shall be \$1.00. The maximum fine per item for items costing \$0.00 - \$7.99 in the cataloged collection (cataloged paperbacks, hardcover books, and audiovisual materials) shall be \$1.00. The maximum fine for items costing more than \$250.00 shall be \$25.00.

INTERLIBRARY LOAN FINE CHARGES

Since libraries have agreed to charge their customers overdue fines for interlibrary loan materials just like they charge fines for any other materials that go out of their library, the L.E. Phillips Memorial Public Library shall charge no fines for interlibrary loan materials sent out to other libraries. Those libraries shall retain the fine revenue which they collect from their customers for items sent to those libraries by the L.E. Phillips Library.

FINE EXCEPTIONS

There shall be no fines for Home Delivery customers. The Circulation Manager or designee may authorize fine deductions or deletions in special circumstances. The Library Director or designee may delete fines for a day of inclement weather if the overdue items are returned to the library on the day following the inclement weather.

HOLDS

Hold requests will be taken at the library, by telephone, e-mail, or by mail on all circulating items in the library's collection except for browsing paperbacks, big books and board books. Customers may place their own hold requests on the automated library system either by using the library's computer in-house or remotely.

A library cardholder may pick up and checkout items placed on hold by another cardholder only if either one of the two following conditions applies:

- 1) The library has a signed release on file from the person who placed the hold, listing that cardholder as a person authorized to pick up the hold;
or,
- 2) The cardholder shows sufficient identification that he or she is a member of the family (or agent) of the person who placed the hold and that he or she was requested by that person to pick up the items. Sufficient identification shall include, but shall not be limited to, current proof of the same address and surname.

iPads can only be picked up by the library cardholder for whom the hold was placed.

RENEWALS

Customers may not renew items with holds on them or exceed the number of renewal periods as defined under the "Loan Period in Days" section of this policy.

ACCESS RESTRICTIONS

Parents or legal guardians may request in writing that their children (15 and under) be denied access to checking out, or limited to checking out, materials that are readily identifiable and easily discernible to library staff. Examples of such requests may include, but are not limited to, the following:

- 1) deny access to R-rated videos or DVDs;
- 2) allow access only to G, PG and non-fiction videos and DVDs from the adult collection. This prevents children from access to unrated videos or DVDs of feature films.
- 3) deny access to compact discs with "parental advisory" warnings;
- 4) deny access to all videogame software;
- 5) allow access only to videogame software with a specific rating, such as E (Everyone).
- 6) deny access to Freegal with the understanding that this would deny access to downloading any music from the product.

CUSTOMER REGISTRATION PERIOD

Library cards shall not be issued for a specific time period and have no set expiration date.

PERIOD OF TIME INACTIVE CARDS WILL BE RETAINED

If a customer has not used his/her card, that customer's record shall be deleted from the database. Twelve months after the last activity or update date, the customer's card shall then be invalid. Customers whose library cards are blocked for fines, and overdue items, will be retained on the database through six years after the last activity date.

RETENTION OF CIRCULATION RECORDS

Unless otherwise specified, records of circulation transactions are eliminated from the database upon completion of the transaction.

Retention of customer application forms will be in compliance with applicable record retention laws.

NUMBER OF ITEMS

A customer may have a maximum of 100 items at any one time, subject to the restrictions listed below.

Interlibrary loan to libraries shall be exempt from this limit since the materials go to the libraries and not to individual customers. Restrictions include the following:

- 10 books on cassette/disc
- 10 videocassettes
- 20 compact discs
- 8 DVDs (adult)
- 5 DVDs (juvenile)
- 2 computer software (juvenile)
- 2 computer software (young adult)
- 1 iPad

Exceptions can be made to customers with particular needs.

INTERLIBRARY LOAN LIMITS

Customers are limited to five (5) interlibrary loan requests a week. Interlibrary Loan staff may make exceptions to these limits in special circumstances

ADDENDUM

FINES

Level One – Desk Clerks have the authority to waive fines in the amount of \$5.00 or less. This allows Desk Clerks the flexibility to work with those customers with legitimate excuses on the spot and satisfy them.

Level Two - Assistant I and II, “Managers on Duty” have the authority to waive fines of up to \$25.00. These fines will be waived under the judgment of the Assistant who is “Manager on Duty” at that time. This gives customers an instant resolution to their problems without having to wait for a response from the Circulation Manager.

Level Three - The Circulation Manager has the authority to waive fines of any amount. The Business Manager or designee will periodically review reports of fines forgiven. Fines relating to a bankruptcy would be cleared after being instructed to do so by the Business Manager or designee.

REFUNDS

When a customer pays for an item which he/she has lost and finds the item within 30 days, a refund will be given for the items if returned in good condition, minus the fine which would have been charged.

No refunds will be given for payment of an iPad and/or any individual accessory once payment is received.

No refunds will be given for payment of an interlibrary loan item once payment has been received.

Circulation staff is allowed to refund items from the cash register if the amount to be refunded is \$15.00 or less.

Any item in an amount over \$15.00 will have to wait for a check from the Business Manager.

In cases where a customer tries to return an item that is past the 30-day deadline, the Circulation Manager has the authority to override the 30-day deadline under certain situations:

- If the customer returns the item with the receipt and they were not given information regarding the 30-day return policy, or
- If the item returned falls into a 7-day “grace period” after the last day of the 30-day period (essentially giving the customer 37 days to return the item)

NON-SUFFICIENT FUNDS

All library accounts with checks returned for non-sufficient funds (NSF) will be assessed an NSF fee equal to the amount charged by the City of Eau Claire stated in the current City of Eau Claire Master Fees and License Schedule (currently \$35.00) and this fee will be manually added to the account of the person who wrote the NSF check.

In addition to the NSF fee, all other fines/fees paid with an NSF check will be reinstated (added back manually) to each account collected on with that check.

The NSF fee plus all other fines/fees covered by that NSF check must be paid in full on that account, and on any other accounts in which fines/fees were paid with the NSF check, before any of the library accounts are in good standing.

Collection accounts paid with an NSF check will be reinstated with the collection agency.

BANKRUPTCY

The United States Bankruptcy Code generally permits individuals (debtors) to discharge much of their personal debt. Exceptions to this rule (or exemptions) include “fines” or penalties payable to a governmental unit which are not compensatory in nature or for actual loss. 11 U.S.C. Sec. 523(a)(7). L.E. Phillips Memorial Public Library (LEPMPL) is considered a governmental unit. Whether a penalty is exempt from discharge depends upon whether the “fine” imposed is for compensatory reasons (e.g., replacement) or as a penalty. Under bankruptcy law, fines imposed for pecuniary loss are dischargeable, but fines imposed as a penalty or a punishment are not.

LEPMPL will upon receiving a bankruptcy discharge of debt notice from the US Bankruptcy Court, dismiss all charges on the account of the debtor that have been assessed for lost or damaged items and/or collection agency fees. All other fines will not be discharged and will remain on the account of the debtor within the guidelines of the Wisconsin statute of limitations. Similarly, charges for non-sufficient funds (NSF) will be discharged only if the original check was in payment for monies owed due to lost/non-

returned or damaged materials. All other NSF check fees will not be discharged and will remain on the account of the debtor. The statute of limitations for non-dischargeable debt is two years. Sec. 893.93(2)(b), Wis. Stat. Therefore, it is permissible to go back as far as two years to the date that the debtor knew or should have known of the fine in determining what is still owed outside of a bankruptcy discharge.