

# Portage Public Library CIRCULATION POLICY

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## I **Purpose**

- (A) One of the primary purposes of the library is to bring people together with the information they need. In keeping with this mission, the Portage 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) Portage Public Library is a member of the South Central Library System (SCLS) and the SCLS Integrated Library System (ILS), and adheres to the agreements made with these consortia. Some provisions of this policy are formulated to comply with requirements of these memberships. Participation in SCLS and ILS affords liberal benefits to Portage borrowers, who have access to the facilities, collections and services of member libraries.
- (C) This policy applies not only to the general public, but also to staff, board members, Friends of the Portage Public Library, and library volunteers. Only materials ready for circulation and properly checked out may be taken from the library. A staff member's failure to abide by this policy may result in disciplinary action.
- (D) This policy is also designed to insure that all users have equitable access to the services and materials of the Portage Public Library regardless of race, color, sex, national origin, age, religion, sexual orientation, or disability.
- (E) The library patron is the most important person in the library. Service to patrons is not an interruption to work, but the purpose of it.

## II **Library Card Holder Eligibility**

- (A) The Library issues cards to individuals and organizations. General cards are issued for a four (4) year period. Special cards are issued for shorter periods. Portage library cards are good at all of the public libraries and bookmobiles in the South Central Library System. Portage cards may also

be used at public libraries with reciprocal borrowing agreements with the South Central Library System. Some restrictions may be placed on borrowers by participating libraries.

- (B) A free Portage Public Library card is available to residents of the City of Portage and residents of the SCLS service area. All applicants 16 years of age and older must present acceptable photo and address identification at the time of application for a first card or a lost card replacement. Such identification includes a driver's license or Wisconsin ID card, checkbook, official mail postmarked within 30 days, or an ID listed in the ILS registration guidelines. Valid Portage Area School District student IDs are also acceptable.
- (C) Registered library users are responsible for informing the library of any name, address or status changes. If name, address or status is incorrect, patrons are allowed a one-time checkout; however, the card may not be used at subsequent visits until proper verification has been presented to update the patron's library record.
- (D) If a library card is lost or stolen, the registered library user must notify the library immediately. Library staff will change the card's status to "lost" to prevent unauthorized use. Library patrons will be responsible for any activity on the card until it was reported missing to the library.
- (F) Renewals of library cards are possible so long as patrons remain eligible. Patrons not using their card within 1 year of the expiration date will have their registration purged and may have to reapply.
- (G) Only one card will be issued to each individual, and the card is for that individual's use only.
- (H) Cards may be issued to children at any age. Applicants 15 years of age and under are required to obtain their parent's or legal guardian's signature on the card application and have parent or guardian present. Parents or guardians applying for cards for their children must have each child present to be issued cards. Children residing in two households will be issued a card only by the community or agency of primary residence, as stated by the parent or guardian.
- (I) **Organizations:** City of Portage community organizations, city departments, and local businesses may be issued organizational borrowers' 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. The organization, city department, or business assumes responsibility for any library materials checked out on the card. All rights and responsibilities held by individual card holders will be assumed by organizational card holders. These cards will be issued for one year. Renewals are possible as long as organizations remain in business. Organizations outside the City of Portage should apply directly to their home libraries.
- (J) **Homebound:** Any Portage or rural Columbia County resident who, because of temporary or permanent physical disability, finds it difficult or impossible to visit the library in person is eligible for Homebound Delivery Service through the Portage Public Library. This privilege will only apply so long as the resident is homebound.

- (K) **Temporary residents:** Any individual residing in Portage with expected residency of 3 months or less must pay a fee of \$20.00 to obtain a library card, upon providing local address verification. All regular Rules for Borrowing apply.
- (L) **Limited Use:** Limited Use status is available to those who cannot meet the recommended ILS registration requirements through no fault of their own. For example, those staying at the River Haven shelter and cannot provide proof of permanent residence may request Limited Use status until a permanent residence is secured. These patrons must meet all other requirements, such as proof of identification, etc. Limited Use allows the patron to check out a limit of 3 items at a time. The status has an expiration of 90 days, at which time the patron must either meet the full registration requirements or lose patron privileges.

Limited Use status may be authorized in other situations at the Library Director's discretion.
- (M) Wisconsin borrowers residing outside of SCLS may have their home library cards barcoded for use in SCLS, providing they meet ILS registration guidelines.
- (N) Milwaukee County Federated Library System has not negotiated an approved reciprocal borrowing agreement with the SCLS. Therefore, Milwaukee County residents who do not qualify as temporary residents by not providing local address verification must purchase a library card to receive borrowing privileges at the Portage Public Library. These cards are valid for one year. The fee for such a card is \$50. This section also applies to out-of-state borrowers.

### III Rules for Borrowing

- (A) For all users to receive efficient and accurate service, borrowers must present their library cards each time they check out or renew materials. The only exception made is if borrowers provide photo identification. Staff will verify address, phone number, and/or birth date against the patron record. However, abuse of this courtesy will not be tolerated as patrons are required to bring their library cards.
- (B) Users without their library cards or identification may request that selected items be held for them for three (3) days. Materials found on the shelf in the library in response to telephone or email requests may also be held for three (3) days for pickup.
- (C) Any borrower with materials, fines, or fees due in excess of the library's suspension limit may not check out until the matter is resolved.
- (D) Reference materials and newspapers are non-circulating and may not be checked out.
- (E) It is the policy of the Library that no borrowing restrictions are placed on anyone, including children. Responsibility for the use of library materials by children rests with their parents and/or legal guardians.
- (F) The Library Director will determine limits on specific formats (book, audiovisual materials, magazines, etc.) based on the size and popularity of these collections in efforts to provide optimum equitable access. For electronic devices, please see DEVICE CHECK OUT POLICY.

- (G) The maximum number of items a patron may have checked out at any one time is 100.
- (I) Circulation services conclude at closing.
- (J) The Portage Public Library is not liable for any damage to personal equipment that may occur from the use of library materials.

#### **IV Return of Library Materials**

- (A) Portage Public Library materials may be returned to any public library or bookmobile in the South Central Library System. Materials returned to non-public libraries, such as school, academic or special libraries remain the responsibility of the patron.
- (B) If items have fines or fees associated with them, and the patron wishes to pay the fines, the patron should bring the items to the Service Desk for immediate check-in and fine payment. Otherwise, all returned items should be placed in either the interior or exterior book drops.
- (C) Receipts for fine or fee payments will be given, but general receipts of delivery for returned items will not be given.
- (D) Patrons may access and print information from their patron record at the public access computers or from any off-site computer connected to the Internet, provided they have their user ID (library card number) and personal identification number (PIN) password available.

#### **V Holds**

- (A) Requests for materials may be accepted from registered patrons. Requests may be made in person, by phone, or through online access to LINKcat. A caller must be prepared to provide a library card number to request holds.
- (B) Hold notices are sent via email, phone, or U.S. Postal Service.
- (C) Hold notices indicate a date after which materials will be returned to the shelves or to owning libraries. Per agreements with SCLS, unless extenuating circumstances arise, items remain on the hold shelf for seven (7) days after the library receives them. Patrons may request an extension to the hold if there are no other holds.
- (D) Patrons who fail to check out holds before the expiration date may have their names added to the bottom of the hold list if they desire.
- (E) To protect patrons' privacy, holds will only be checked out to the patron requesting them or to people the patron authorizes. A patron must complete the Holds Pickup Authorization Form to authorize other people to check out his/her holds. To comply with Wisconsin State Statute §43.30 parents or guardians of children under 16 must complete the Holds Pickup Authorization Form as well, but they can sign for their children. To do so, they must first prove they are the

custodial parent or guardian.. If proof of custody is established, but the parent or guardian does not have the child's library card number, staff can complete the authorization without the card number. Staff will place an OPAC note that the patron will see that reads, "A Holds Pickup Authorization was completed by your parent(s)/guardian(s) (NAME). This is allowable by state law until you turn 16. On your birthday of mm/dd/yyyy if you continue to want this/these person(s) picking up your holds you must sign the Holds Pickup Authorization Form yourself." Staff will also place a Circulation Note that appears at checkout for staff that reads, "On mm/dd/yyyy the Holds Pickup Authorization for all parties expires until the 16 year old patron signs the Holds Pickup Authorization Form themselves thus complying with Wisconsin State Statute §43.30."

- (E) Patrons may select or request library pick-up locations other than the Portage Public Library when placing holds. Items unavailable in LINKcat must be requested as an interlibrary loan at the library where pick-up is desired.
- (F) Library users are limited to five (5) interlibrary loan (loans from libraries outside of SCLS) requests per week. Interlibrary Loan staff may make exceptions to these limits in special circumstances.

#### **VI Loan Periods and Renewals**

- (A) Books (with the exception of books with holds) and audio books circulate for twenty-eight (28) days.
- (B) Books with patron holds, music CDs, magazines, and instructional kits circulate for fourteen (14) days.
- (C) Visual media (e.g. DVDs, Blu-Rays, and videogames) circulate for seven (7) days.
- (D) Audiovisual equipment circulates for three (3) days.
- (E) Electronic device circulation is governed by Device Check Out policy.
- (F) A renewal period of the same length as the initial loan period is granted for any item, unless it has been placed on hold for another patron. Items may be renewed twice. Renewals retain the borrowing rules of the library where the item *was originally checked out*. Renewal items do not have to be in-hand to be renewed.
- (G) Patrons may renew items by telephone two different ways. Patrons can call the library during library hours and supply library staff with their library card barcode number. Patrons can also call the automated telecirc phone number at 608-242-4700. To use telecirc, patrons must key in their library card barcode number and PIN.
- (H) Patrons can also renew items using the online public catalog. Their library card barcode number and PIN password are necessary for online self-renewals.

- (I) The loan period for ILL materials is 14 days. Renewal rules for ILL materials are determined by the lending institutions, if applicable. Late returns of ILL materials may result in loss of ILL borrowing privileges, per the discretion of the Circulation Supervisor and/or Library Director.
- (J) Portage 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 Library Director.

**VII Fines and Fees for Overdue, Lost, and Damaged Materials**

- (A) Patrons are responsible for all materials checked out on their library card. Materials are considered overdue if the library does not receive them by the date due. Materials returned in the book drop when the library is closed are considered to have been returned on the last open day.
- (B) Items checked out from the Portage Public Library, whether the item is owned by the Portage Public Library or borrowed from another library inside or outside of SCLS, accrue daily fines when overdue.

Adult materials:	\$0.10/day
Children’s materials:	\$0.05/day
Visual Media (DVD, Blu-Ray, videogames):	\$0.50/day
ILL materials:	\$1.00/day
Equipment:	\$1.00/day
Electronic Devices:	See Device Check Out Policy

- (C) If patrons provide the library with a valid email address for library notification, two (2) days prior to an item’s due date the patron will receive a courtesy pre-overdue notice reminding them to either return or renew the item(s). Patrons who do not elect email as their notification method cannot receive the pre-overdue courtesy message. Patrons without email will receive overdue notification via USPS.
- (D) After the items are overdue for 14 days the library issues a notice to the patron either via email or USPS. If the item is not returned, overdue fines continue to accrue through the 28th day overdue. A patron may renew overdue items before the 29th day overdue two (2) times unless the item is on hold for another patron or renewal restrictions apply to that item. Renewing before the 29th day overdue will prevent the item from being considered lost, but additional overdue days beyond each renewal loan period will accrue additional overdue fines. Example: A book with a \$.10/day overdue fine is checked out and overdue 28 days = \$2.80, then renewed and overdue again 10 days = \$1.00, and then renewed the final time and overdue 25 days = \$2.50, totaling \$6.30 in overdue fines for that item.
- (E) The library’s main goal with overdue fines is to get its materials back. Therefore, as an incentive for patrons to return items, the library has instituted maximum overdue fine amounts of \$10, \$5, and \$3 depending on the type of materials. Overdue fines should be less than the cost to replace the item. In instances where the overdue fine equals or exceeds the replacement cost, library staff can adjust the fine to \$1.00 less than the replacement cost, unless the fine

originates from a checkout completed at another library. On the 29th day overdue, the item is considered lost. At that time, the patron is billed for the replacement cost of the item. This is considered the final bill. Twenty (20) dollars or more in fines or fees will suspend the borrowing privileges of patrons. The card used to check out the item(s) may be blocked from checking out any additional library material if the replacement cost charge for a lost or damaged item and/or overdue fines puts the fines and fees owed to \$20 or more. This block will remain until the lost item is returned and/or fines and fees are paid.

- (F) If an item is returned within six (6) months after the item is considered lost, the fine to the patron is reduced from the replacement fee to the overdue fine, provided the item is not damaged. Additionally, patrons are required to pay replacement costs for items believed to be lost. Doing so as soon as possible will reinstate their borrowing privileges. Once replacement costs have been paid by a patron for a lost item, no refunds will be given- the item cannot be returned to the library and is henceforth the property of the person who paid for replacement.
- (G) If a patron believes that an item checked out on his/her card was returned, the library can put a "claims return" on the item, and its replacement cost is removed from the patron's financial responsibility. If the patron finds and returns the item, the patron is charged the appropriate overdue fine, which is less than the replacement cost. Patrons are allowed a maximum of three (3) "claims returns" per patron per 12-month period. The patron is responsible for subsequent lost items on his/her card.
- (I) Patrons are billed for materials returned to the library that are found to be damaged beyond normal wear and tear. Damaged but still usable materials are mended according to an established set of procedures.
- (J) Patrons are charged a replacement cost for materials they check out that are irretrievably lost or damaged beyond repair. The replacement cost is the retail price of the item rounded to the nearest dollar. When retail price is unavailable, the SCLS agreed-upon default price is used for that type of material. This schedule of charges shall be reviewed annually by the Library Directors in SCLS to reflect changes in the average cost of library materials.
- (K) Other than in very specific circumstances, such as when an item is out of print, historical, or otherwise irreplaceable, the library does not accept replacement copies of lost or damaged items in lieu of charges because if the replacement copy subsequently falls apart due to poor construction, the library has no recourse for refund or replacement as it would when it purchases items from a vendor.
- (L) The library will comply with all Discharge of Debtor decrees by Bankruptcy Courts. Overdue, lost, or damaged fines and fees after the date of the decree will not be cleared.
- (M) Except for ILL items that are loaned to Portage Public Library from outside SCLS, materials loaned to Portage Public Library for local borrowers fall under Portage Public Library overdue policies. However, lost and damaged charges are set by the item's owning library, and borrowers will be held responsible for all special assessments for lost or damaged items placed by lending institutions.

## VIII Insufficient Funds

- (A) If a patron bounces a check, the amount bounced will be placed back on the patron's account. Additionally, if the bank charges the library an insufficient funds charge for a patron's bounced check, the fee the bank charges the library will be passed on to the patron.
- (B) After a check is returned from the bank for insufficient funds, payments to clear charges must be made in cash.

## IX Lost, Damaged, or Stolen Library Cards

Cards that are lost or damaged beyond use will be replaced at a charge of \$1.00. There will be no charge for replacement of an expired card, a card reported stolen, or for patrons who move to Portage from another library within the South Central Library System.

## X Special User Privileges

### (A) Senior Citizens

1. The library recognizes that senior citizens as a user group can be more restricted in their mobility and finances than the population as a whole. Therefore, the library exempts senior citizens from overdue charges.
2. To qualify for this exemption, patrons must be 65 years old or older. The qualification age is based on the earliest age for full retirement defined by the Social Security Administration.
3. The exemption does not automatically enact at a patron's birth date through the computer system. Staff will do their best to catch new occurrences and offer this exemption to patrons who qualify, but senior citizens should notify staff of their status change to opt in to the exemption.
4. Overdue notices will be sent, but overdue fines are not charged on materials checked out on senior citizens' cards.
5. Lost and damaged charges still apply to senior citizens. Sec. VII of this policy applies to senior citizens with the exception of any mention of overdue charges.

### (B) Classroom Cards

1. While the library does not directly support local educational institutions' curricula, it recognizes that the materials it supplies supplement the curricula within the community. From time to time, teachers need to draw upon the public library materials for classroom activities. The library understands that classroom activities sometimes run beyond the regular library loan periods. Therefore, educational institutions within the Portage Community School District that apply for an organizational borrowers' card per Sec. II, H, of this policy will be considered Fine-Free Organizations.
2. Classroom cards will be issued to each teacher who is on the list of authorized individuals supplied by the principal, director, or head of the organization.
3. Patrons must have their classroom library card present to check items out. Classroom cards are to be used for educational purposes directly related to classroom instruction and

learning. Materials for personal use may not be checked out on the card. Library staff have the right to question patrons using a classroom card to check out what appears to the staff member to be personal use items. Approval or denial of use of a classroom card to check out any item at the library is the employee's sole discretion. Abuse of this privilege will result in overdue fines being charged on existing checkouts and cancellation of the classroom card.

4. The Portage Public Library recommends that teachers keep items checked out on this card in their possession or in their classroom and not send items home with students.
5. The organization is financially responsible for lost or damaged items. A card with multiple lost or damaged charges will be blocked from use until payment is made.
6. Multiple holds on a single title require librarian assistance. If the same request for items happens annually, the library will encourage the school library the teacher is affiliated with to purchase the necessary items. Future requests of those same items may be denied as the Portage Public Library supplements but cannot be a substitute for fully supporting school curriculum needs for ongoing annual curricula.
7. The loan periods for items checked out on classroom cards are the same as regular loan periods. Items may be renewed up to two times if there are no holds placed on the items.
8. Overdue notices will be sent, but overdue fines are not charged on materials checked out on classroom cards.
9. Lost and Damaged fees will be charged. Sec. VII of this policy applies to classroom cards with the exception of any mention of overdue charges.

## **XI Confidentiality of Library Records**

- (A) As described in Wisconsin State Statute §43.30, public library records and all circulation and other records that identify the names of library users, especially as they connect library users with material or services used, are confidential.
- (B) The following exceptions to the confidentiality law are noted in §43.30(1m):
1. By court order.
  2. To persons acting within the scope of their duties in the administration of the library or library system.
  3. To persons authorized by the individual to inspect such records.
  4. To custodial parents or guardians of children under the age of 16 as required under §43.30(4).
  5. To libraries as authorized under §43.30 subs. (2) and (3).
  6. To law enforcement officers under §43.30(5).
- (C) The following guidelines will be observed in providing any records to custodial parents or guardians of children under the age of 16 who do not have the library barcode:
1. Library records to be supplied include items currently checked out, due dates for those items, overdue items, items on hold, items waiting to be picked up, and any fines owed, as well as any records that show use of the library's computers.
  2. Library records not required to be supplied include address, phone number, age, etc. of the child. This information must be edited out of any record supplied to a custodial parent or guardian.

3. Library staff should request photo ID in order to determine whether the person requesting the records is the custodial parent or guardian. Library staff will accept any other set of documents that demonstrates to their satisfaction that the requestor is the custodial parent or guardian of the child whose records have been requested. Information regarding library records will be provided over the phone only when a library barcode number is provided.
- (D) Records regarding patrons' use of library services shall not be made available to any agency of federal, state, or local government including law enforcement except when a warrant, subpoena, or other court order is presented, as stipulated by §43.30(1m).
- (E) §43.30(5)(a) and (b) provide no need for law enforcement to have a court order only when:
1. A law enforcement officer is investigating criminal conduct alleged to have occurred at a library. In such instances, the library shall disclose to the law enforcement officer all records pertinent to the alleged criminal conduct that were produced by a surveillance device under the control of the library.
  2. A library requests the assistance of a law enforcement officer, and the director of the library determines that records produced by a surveillance device under the control of the library may assist the law enforcement officer to render the requested assistance. In such instances, the library may disclose the records to the law enforcement officer.
- (F) The following guidelines will be observed in providing records to law enforcement that provide a court order:
1. The law enforcement officer/agent will be asked for identification including badge number, name of the law enforcement agency, officer/agent's name, and telephone numbers.
  2. The library will attempt to verify the law enforcement officer/agent's identity by calling the local headquarters of their parent agency. The phone number they give the library will not be used. Instead, the number will be looked up.
  3. The library will attempt to contact the library's legal representation before a court order is acted upon.
- (G) The following guidelines will be observed in providing records to persons authorized by the individual to inspect such records:
1. These persons must have the library barcode number.
  2. The Holds Pickup Authorization form only grants access to pick up holds waiting for the patron but does not authorize the person to inspect patron library records.
  3. Information concerning materials placed on hold may only be given out to a person who provides the barcode number from the card in question, even if the person is listed on the Holds Pickup Authorization form. Individuals may be asked to present identification in person to receive this information.

## **XII Theft of Library Materials**

- (A) Wisconsin State Statute §943.61 has set forth what constitutes Theft of Library Material. The penalty for a conviction of breaking these laws is defined in §943.61(5)(a) and (c).

- (B) 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 as provided in sub. (5).
- (C) The concealment of library material beyond the last station for borrowing library material in a 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 with 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.
- (D) An official or adult employee or agent of a library who has probable cause for believing that a person has violated this section in his or her presence may detain the person in a reasonable manner 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. Compliance with this subsection entitles the official, agent or employee affecting the detention to the same defense in any action as is available to a peace officer making an arrest in the line of duty.
- (E) Conviction for breaking these laws carries a penalty defined in the Wisconsin Statutes §943.61(5)(a) carries the repercussions of a Class A misdemeanor if the value of the library materials does not exceed \$2,500, or §943.61(5)(c) carries the repercussions of a Class H felony if the value of the library materials exceeds \$2,500.
- (F) While the law provides the library with the option for legal police action, in most cases, the library will exhaust all other means it has at its disposal before law enforcement action is taken.

*This policy replaces any previous policy regarding circulation.*

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