

## **NEWARK PUBLIC LIBRARY SERVICE POLICIES AND PROCEDURES**

### **I. MISSION**

The mission of the Newark Public Library will be to enhance the quality of life for all persons of the community by providing public library service.

### **II. GENERAL LIBRARY OBJECTIVES**

In order to achieve its purpose, the general objectives of Newark Public Library shall be:

- A. To assemble, preserve and administer, in organized collections, books and related educational and recreational materials in order to enlighten and enrich the lives of our citizens through guidance and stimulation in the communication of ideas.
- B. To serve the community as a source of reliable information.
- C. To provide a place where inquiring minds may find opposing views on all subjects. Whereas the library does not promote any particular view, it should provide a resource where the individual may freely examine all sides of issues or ideas.
- D. To support educational, civic and cultural activities of groups and organizations.
- E. To provide opportunity and encouragement for children, adolescents and adults to educate themselves continuously.

### **III. WHO MAY USE THE LIBRARY**

- A. The library offers free library service to all residents of Texas. Service will not be denied nor abridged because of religious, racial, social, economic or political status.
- B. The library reserves the right to deny or limit its use and services to groups or individuals making excessive demands, for example, students, puzzle contestants and others whose demand for staff time, materials or space would prohibit service to other worthy individuals and groups.
- C. The library reserves the right to limit the number of titles borrowed by one person at any one time, especially in certain heavily used subject areas.

- D. The library issues free library cards to patrons; however a fee is charged for replacing a lost card. This fee will be set by the Library Board and reviewed periodically.
- E. Telephone questions will be answered if possible, but patrons who come to the library have first priority. Student requests involving research cannot be handled over the phone.
- F. The use of the library or its services may be denied for due cause, due cause may include but is not limited to: failure to return books or to pay fines, destruction of library property, and disturbance of other patrons or any other objectionable conduct on library premises. Temporary curtailment of service will be at the discretion of the Library Director.

#### **IV. ACCESS TO CIRCULATION RECORDS**

The library will protect, in so far as possible, the privacy of any individual who uses the library and will make no inquiry as to the purpose for which any patron requests books, information or other library materials. Records, which may be required in lending books or materials or answering reference questions, are for the sole purpose of protecting public property. Under no circumstances shall the staff of the library provide information to a third party as to what a library patron is reading or calling for from the library collection. Furthermore, it is the policy of the City Council not to yield any information about library patrons or their material selections to any agency of government; whether local, state or federal, without an order from a court of competent jurisdiction.

The library provides a neutral place in which individuals may explore the ideas of the world in a secure and private manner, however, the library neither advocates nor condemns the language or points of view of particular books, videos or authors.

#### **V. SERVICE**

- A. The library staff will select from the mass of available materials and organize for easy access those books and materials, which best meet the needs of the community or individuals from the community who use the library.
- B. The library staff will offer assistance to patrons in obtaining information from audio-visual, printed or non-book materials.
- C. The library will strive to cooperate with other community agencies and organizations in meeting local educational and recreational needs.

- D. The library will attempt to borrow materials, not owned by the library and which cannot be purchased or materials for which the demand is not great enough to justify purchase, for patron's.
- E. The library will lend to other libraries materials requested for patrons which are not available in the borrowing library.
- F. The library will endeavor to maintain a balance in its services to adults, young adults and children and will cooperate with, but cannot perform the functions of, school and other institutional libraries, which are designed to meet circular or other specialized needs.
- G. Library services will be provided during the hours which best serve the community in so far as is economically feasible. Hours of service will be reviewed periodically and may be adjusted by the City Council.
- H. Library services will be reviewed periodically to determine whether certain services should be discontinued or other services added.

## **VI. PATRON RESPONSIBILITY.**

Libraries have a responsibility to their patrons. The reverse is also true. Whereas, libraries are maintained as publicly supported institutions in order to enhance the quality of community life by the diffusion of knowledge, culture and awareness among the people, there are legal and/or implied contracts in the patron's relationship with the library.

### **A. Public Property—Materials**

1. Before any applicant is granted a borrowers card, he or she must complete the application form.
2. Upon completion of the contract or application form, the applicant must present to the library's representative at least ONE ACCEPTABLE FORM OF IDENTIFICATION WHICH MUST SHOW CURRENT RESIDENCE ADDRESS. They must provide a current phone number were they can be contacted.
3. Regular applicants must be eighteen years of age or older since the application represents a legally binding contract. Applicants must be prepared to show proof of age.
4. A minor child is given a borrower's card only on the guarantee and signature of a parent or guardian who must have a current library card and assumes all responsibility for materials used by the child,

including the age/reading level and/or content and including (but not limited to) those responsibilities enumerated in these policies.

5. A marriage license, duly attested or notarized, may be used as proof of the applicant's eligibility to enter into a contractual agreement with the library, regardless of the applicant's age.
6. A due date is assigned to every item, which a patron borrows. It is the patron's responsibility, and his or hers alone, to guarantee the return of the borrowed materials by the due date. The library board has adopted a schedule of fines that apply should materials become overdue.
7. Contract signors are responsible for materials borrowed on their cards. A person issued a borrowers card will be responsible for all materials borrowed on a card that is lost, wherein the library has not been notified of the loss. Persons issued borrowers cards agree to perform certain conditions, which include, but are not limited to, all of the following:
  - a. Take proper care of materials. The library staff may determine whether proper care is given.
  - b. Return all items borrowed by the due date.
  - c. Make prompt payment for damage to materials.
  - d. Make prompt payment of overdue fines.
  - e. Make prompt payment for lost materials, current value to be determined by staff.
  - f. Pay collection costs, including time, automobile and gasoline expense, court fees, etc., necessary to recover borrowed materials and/or fines owed.
11. Fees will be set by the board for the replacement of lost book material, with a maximum limit, not to exceed the replacement cost of the lost item plus \$6.00 for handling expenses.
12. Fees will be set by the board for the replacement of lost video material, with a maximum limit not to exceed the replacement cost of the lost item plus \$6.00 for handling expenses.
13. Borrowers will notify the library promptly should they change their residence address.

14. Patrons are solely responsible for compliance and conformance with laws, which apply to borrowed materials, including (but not limited to) copyright law, as they are currently enacted or may be amended.
15. The patron assumes all responsibility for damages incurred to his or her person or property resulting from the use of equipment, materials and/or information borrowed and/or obtained from the library.
16. A patron will comply with such library rules or regulations enacted, approved or amended by the City Council.
17. Patrons will familiarize themselves with library policies, fine and fee schedules, noting that these are periodically subject to change by the Library Board.

#### B. Public Property-Library Facilities

1. Patrons will take care that no action of theirs results in damage to the facility or its furnishings.
2. Patrons should notify the appropriate authorities, staff or police, should they witness someone in the act of vandalizing or otherwise damaging the library.

#### C. Respect for the Rights of Others

1. Patrons will not smoke in the library.
2. Sleeping is not permitted.
3. Soliciting is prohibited.
4. Physical abuse, assault on another person, or the use of abusive, insulting, or threatening language shall be cause for the removal of the offending party or parties and could result in other legal action.
5. Patrons will not be drunk and/or disorderly.
6. There is no public area for eating or drinking in the library.
7. Improper acts, which are subject to prosecution under penal laws of the State of Texas, are expressly forbidden in the library.

8. Service animals for the physically impaired will be admitted, but other animals are to remain outside the building.
9. Anyone known to have violated any rule in this policy may be excluded from the library at the discretion of the librarian on duty at the time.
10. Certain problems with children require special attention. The following situations will be dealt with accordingly:
  - a. In the event of a noisy or crying child, the parent or person in charge of the child will be asked to quiet the child. If the request is refused or the child is not brought under control, they will be asked to leave until the child is behaving and quiet.
  - b. In the event a child is running in the library, the child will be asked once to stop because he/she or someone else might get hurt. The parent will be asked to control the child if he/she continues to run. If the child continues and the parent does not bring him under control, they will be asked to leave.
  - c. The library's staff is not allowed to baby-sit children while parents are working, running errands, etc. If the child appears to be unattended, staff may inquire as to their guardian's location. Library staff may notify the proper authorities if they are aware a child has been left unattended in the library.
  - d. In the event a child is left unattended in the library at closing time the local law enforcement will be contacted for assistance. A note on the front door of the library will be left so that the person picking them up will know where to find them. Under no circumstances should minor patrons be left unattended in the library, lobby or outside after library hours.

- D. Dissatisfaction with Services or Collections:** The library has been established to serve its patrons. If a patron has cause to be dissatisfied with any matter in the library, in any way, he or she should voice his or her concerns to the Director.
1. If the complaint is a matter involving any personnel employed by the library then the Director shall comply with the City of Newark policies, as prescribed in the Employee Handbook, involving complaints against City employees.
  2. If the complaint is not a matter involving personnel, and the patron does not receive a satisfactory response to concerns expressed, he or

she is asked to bring their concerns, first to the Library Director, then to the Library Board and finally to the City Council.

- E. Improvement of Services or Collections: Patrons are asked to make suggestions for any improvement which they believe will be beneficial to the library.

## **VII. COOPERATION WITH OTHER LIBRARIES**

- A. The library recognizes that no single library can meet all demands in its community. Libraries in different political subdivisions working together, sharing their services and resources, can more nearly meet the full needs of their users. The City Council encourages active participation in the North Texas Regional Library System (NTRLS) and with other library agencies in order to strengthen the services and resources of the Newark library.
- B. The Library director will use the consulting services of NTRLS and the Texas State Library Archives Commission as the need arises.

## **VIII. PHYSICAL FACILITIES**

- A. To achieve the goal of good library service, the City Council accepts the responsibility to strive for public library facilities, which will adequately meet the physical requirements of modern library service. Such facilities will offer to the community a compelling invitation to enter, read, look, listen, and learn.
- B. Bulletin boards: The library's bulletin board is to be used primarily by the library. In its capacity as a public institution, the library schedules educational, cultural, and recreational activities for the community. Therefore it must have adequate access to the bulletin boards in order to publicize library services.
  - 1. Any remaining space on the bulletin boards is available for public use, within specified guidelines. The library bulletin boards are available for the publicizing of nonprofit events of a cultural, educational, recreational, or civic nature. Attendance at events publicized on library bulletin boards must be open to the community; in most cases, they must be free of charge. Exceptions to this "no charge" rule are reputable, nonprofit, local organizations of a civic nature, which provide cultural, educational, and recreational programs for the community. Specific examples include organizations, which have a U. S. Government tax-exempt number. Those events, which may not be publicized, include those, which are for commercial purposes or

groups (such as bake sales), or for any purpose, which furthers an individual's goal. Fund-raising posters may not be exhibited, unless they are library related.

2. The maximum poster size for the bulletin board is 8 1/2 x 11 inches.
3. The library Director makes decision on whether a poster may or may not be displayed.
4. The library is not responsible for damage or loss. Posters will be displayed and discarded within a reasonable length of time.
5. Internet bulletin boards follow the same guidelines as listed above. The library will strive to provide space via their web site or sites for the community. These spaces will be free for the above stated organizations. The City Council will set fees for profit groups.

## **IX. GIFTS**

Within the provisions of the state laws, the City Council adopts the following policies:

- A. Gifts of books and other items will be accepted on the condition that the library has the authority to make whatever disposition it deems advisable. A form stating that the donor agrees to this policy will be filled out and signed by the donor when making the gift.
- B. Gifts of money, real property, and/or stock will be accepted if conditions attached thereto are acceptable to the City Council.
- C. The library will not accept for deposit materials, which are not outright gifts, with the exception of exhibits, or special collections, which, upon approval of the librarian may be set up by the owner for a limited time and at the owner's risk.
- D. Written acknowledgment will be made for memorial gifts.

## **X. PUBLIC RELATIONS**

- A. Some of the primary public relations goals of the library are:
  1. To make all citizens aware through publicity in local news media, programs, and other forms of communication of the many services available to them in their local library.

2. To promote understanding of the library objectives and services by governing official, civic leaders and the general public.
  3. To encourage active participation in the varied services offered by the library to people of all ages.
- B.** Public relations statements should be made by the library director or a library board member.
  - C.** The Board members and each staff member should realize that he or she represents the library in every public contact. Good service supports good public relations.
  - D.** The librarian and staff will be expected to give talks and to participate in community activities.
  - E.** Staff members are encouraged to participate in local professional meetings, conferences and workshops.

## **XI. POLICY FOR THE SELECTION AND DISCARDING OF MATERIALS**

Newark's City Council recognizes that American democracy functions only if the full range of human ideas is accessible to its citizens in order that citizens may be informed on all manner of issues, both popular and unpopular.

The principle is embodied in the First Amendment to the Constitution, which protects freedom of expression of ideas, and concomitantly, access to those ideas in American public libraries.

The collection of Newark's library is designed to fulfill this ideal in so far as is economically feasible.

The Library collection will be selected and maintained to provide materials which will enable each individual to acquire or to adapt the skills and knowledge necessary for him to participate in self-government; be productive, elevate his economic status, enhance his humanity and contribute to his enjoyment of life according to his full exercise of free choice.

The collection will promote no causes, will further no movements, and will not favor any viewpoints.

The library takes no sides on public issues and does not attempt to promote any beliefs or points of view, nor does it endorse the opinions expressed in the materials held.

The library recognizes its responsibility to provide materials presenting various points of view, within the limitations of space, budget and availability, to enable individuals to make their own decisions.

- A. Criteria of Evaluation: Material will be judged on the basis of the content and style of the work as a whole, not by selected or random passages or scenes.

A policy, however high its standards, cannot replace the judgment of the librarians, but provides guidelines and goals that will assist in choosing from the vast array of available materials. In the process of selecting materials, the librarian utilizes professional judgment and expertise based on an understanding of community needs and knowledge of authors and publishers, and is often aided by reviews found in professional, literary, specialized and general periodicals in addition to standard lists of basic works. At times, library staff may consult subject area specialists to obtain advice on building certain technical fields.

Factors influencing selection of an item include: Factual accuracy, effective expression, current usefulness, significance of subject, interest, permanent value, relevance to the existing collection, qualifications of the author in subject field, style, reputation of the publisher, management of material, price, collection development objective, timeliness, audience, and diversity of a view point. No materials shall be excluded because of the race, nationality, religion, political or social view of the author(s) or artist(s).

Demand is only one of the valid factors in book selections. Materials selected for the collection may be of popular interest and in high demand, but not always of enduring value. Best sellers are evaluated on their individual merits following selection policies. The library will be responsive to public suggestion of items and subjects to be included in the library collections.

Patrons not finding desired material in the library's collection may request that it be borrowed on interlibrary loan, within the guidelines of the National Inter-Library Loan Code and will be subject to any fee's that may be present, or that it be purchased by using the Patron Request form. Patrons finding certain library materials objectionable to the community or objecting to exclusions from the collection may request that decisions be reconsidered by using the appropriate Request for Reconsideration form. All forms will be readily available at the library.

The materials selection policy will be reviewed at frequent intervals to insure that it meets community needs.

The "Library Bill of Rights" and the 'Freedom to Read Statement' as adopted by the American Library Association is part of Newark's library materials selection policy.

- B.** Selection Aids: The following are generally recognized guides to selection for fiction and non-fiction, but selection will not be limited to these:

Booklist	American Reference Books Annual
Library Journal	New York Times Book Review
Kirkus Reviews	Wilson Library Bulletin
Fiction Catalog	Horn Book Magazine
Children's Catalog	School Library Journal
Publishers Weekly	Bulletin of the Center for Children's Books

In order to meet its objective and to fulfill its obligations to community citizens, Newark Public Library selects and weeds books and other materials, according to the following guidelines:

1. Materials are selected for purchase or weeding after careful, thoughtful evaluation by librarians whose judgments may be combined with authoritative published reviews.
2. Titles are selected on the basis of content as a whole and without regard to the personal history of the author. Important books and materials of all persuasions will be carried. In no case is any item included or excluded merely because of the race or nationality or the political or religious views of the writer.
3. Books and other materials may be excluded on the basis of cost; availability elsewhere, slight demand and lack of documentation but serious works of high quality, which present an honest picture of some problem or aspect of life, are not excluded on the basis of language or frankness of expression.
4. To give variety and balance of opinion, factual books and audiovisual materials on controversial subjects which meet the standards of quality in content expression and format are bought whenever available.
5. The following standards for print materials are sought:

- a. Non-fiction: Accuracy of information presented, quality of writing, cost, format; extent to which the subject matter is already represented in the library collection, readability and literary style; social significance, timeliness or permanent value.
  - b. Fiction: standards the same as for non-fiction, plus contributing to the value of the library's collection as a whole by representing all types and styles of writing and providing reading for recreation and use of leisure time.
  - c. Reference materials: basis of authority, reliability, scope, treatment; arrangement; format; cost and existing holdings.
  - d. Children's books: offers adventures of the mind and spirit to the growing child, cultivates and appreciation of literature both oral and written, encourages creative use of leisure time by inquiring minds. Children's non-fiction meets the same criteria as for adult non-fiction.
  - e. Magazines: basic, popular, general information and scholarly magazines are selected to supplement the book collection, to bring book information up to date, and to fill in those areas where book resources are weak, inferior or non-existent.
  - f. Newspapers: are selected to meet reference and research needs of patrons, and to provide current and local information. National newspapers will be purchased upon sufficient demand and within budget and space limitations.
6. The library recognizes the importance of non-book materials both as a supplement to its book collection and to its concept of service. The following standards for non-book materials are considered:
- a. Films (including video and other appropriate formats): for both adults and children should meet the basic objectives of public library service, namely to assist all citizens in the pursuit of education, information and in the creative use of leisure time. Films purchased will be those that meet the library's objectives in all subjects one would expect to find covered in a well-rounded collection. Films on potentially controversial subjects will be purchased when the material is presented in a factual, objective manner and after more than one title on the subject has been considered and other guidelines of this policy are met.

- b. The library will not purchase teaching films for specific curricular subjects unless they are of general interest.
  1. Books on tape and other audio material will be provided using the same criteria described above for films for the general public as well as patrons with vision difficulties.
6. Gifts accepted by Newark Public Library are judged upon the same basis as purchased materials. They are accepted with the understanding that such factors as duplication, lack of community interest, processing costs or inadequate shelving space may prevent their addition to the collection or permanent retention on the shelves. Gifts are accepted with the understanding that if the library cannot use them, they may be disposed of in any manner the library sees fit.
7. The City Council recognizes that full information about issues of public concern makes it necessary to provide access to information sources which represent those concerns.
8. The City Council believes that reading is an individual, private matter. While anyone is free to select or reject materials for him, he may not restrict the freedom of others to read or inquire.
9. Parents have the primary responsibility to guide and direct the reading of their minor child. The library does not stand in *loco parentis* at any time.
10. Individual items, which in and of themselves may be controversial or offensive to some may be appropriately selected if their inclusion in the collection will contribute to the balance and effectiveness of the library as a whole.
11. The City Council recognizes the right of individuals to question both materials in the library collection and those excluded from it. An individual questioning material in the library collection or excluded from it is free to do so and may state his opinion in writing on a form, which will be provided by the library. The form shall be filled out and returned to the library director. The library director will review the statement and material in question within four weeks. The library director will determine if the material under consideration meets the criteria set out by this policy and will reply to the individual in writing as soon as practical. The library director may ask for aid in making his or her decision about the material in question from the Library Advisory Board. All materials selected under this policy are considered constitutionally protected until such time as any individual

item is determined unprotected by judicial action in courts of jurisdiction and after all appeals have been exhausted. Material under question will remain in the active collection until adverse judicial determination is made.

12. The library collection will be organized and maintained to facilitate access. Any labeling sequestering or alteration of materials because of controversy surrounding the material will not be sanctioned.

C. Weeding policy: To maintain the vitality of the book collection and to keep it up-to-date, material is periodically discarded. Exception is made in the case of last copies of titles, which are permanently useful or have historical or regional value. Books are discarded when they are:

1. Superfluous: duplicates or titles no longer in demand, unsolicited and unusable gifts, unused, unneeded volumes or sets.
2. In poor condition: beyond repair because of damage, missing pages, or generally worn condition, unbind able or when rebinding or mending when cost is more than a new copy.
3. Obsolete: where materials are removed from circulation when they have been damaged or spliced so the story line is no longer complete, or when the information is completely outdated and no longer accurate or authentic.

The City Council recognizes that discarding no longer useful materials from the collection is as important a part of the maintenance of the library collection as the initial selection.

Therefore, the discard policy of the library shall include the same factors as the selection policy in deciding what materials shall be retained as opposed to what is discarded.

Selection and weeding is and shall be vested in the Librarian and such members of the staff who are qualified by reason of education and or training.

This policy for the selection and discarding of books and all other library materials may be periodically reviewed and revised by the librarian at the direction of the City Council.

## **XII. FRIENDS OF THE LIBRARY**

The friends group is a support group, and as such, shall have no part in policy-making for the library organization.

### **XIII. STAFF POLICIES**

- A. Holidays: The library will maintain the same schedule for holidays as applies to all city offices and employees as outlined in the Newark Employee Handbook

### **XIV. THE LIBRARY: SERVING THE COMMUNITY AND THE FAMILY**

Most parents acknowledge their right and responsibility to guide their own children's development and thought processes. Certainly, the library supports the family in this. However, some people may demand that the library collection exclude difficult or controversial materials from which they wish to shield their own children. The public library, of course, may not sanction such demands.

When a child encounters difficult or disturbing information, whether in daily life or in book or magazine, parents must do their part. To sanitize a library collection to avoid the possibility of such moments merely dodges the issue.

Sequestering materials or hiding them from display draws undue attention to them, which may increase their attractiveness to children. It interferes with the rights of others to find and use materials by presenting barriers to access and subjecting the user to unnecessary scrutiny.

When parents exercise appropriate control over their own children, a policy that puts controversial materials, out of sight or behind the desk is unnecessary and undesirable. The library's policy of open stacks and easy access to books and information implies recognition of the parents' responsibility and is thus supportive of a strong family structure. The library staff is trained to help all patrons identify and seek materials which are appropriate to their expressed needs and viewpoints. The collection is designed to serve the whole community.

Adopted by the Newark City Council, July\_\_\_\_, 2009.

## AMMENDMENTS

**Amendment to page 1, Section III, paragraph D:** Adults 18 years or older will be given Patron Cards at no cost or deposit but cards issued to persons under 18 carry a \$1.00 deposit . This deposit will be refunded if and when the card is returned to the library in a physical condition that will permit it to be reused by another patron.

Revised November 4, 2009