Ramsey County Library
Request for Library Board Action

Meeting Date	Action Requested	Presented By
April 5, 2017	Approval	Lynn Wyman, Deputy Director

SUBJECT:
Library Policy Updates

BACKGROUND:
Library policies for the public are brought to the Library Board every year on a scheduled basis. Last year, public policy review was deferred with the change in library directors, resulting in a total of 12 policies that will be submitted for Board review over the next several months.

Five policies are under consideration this month:

- Accounts Receivable
- Gifts
- Unattended Child
- Data Privacy
- Conduct

Staff is recommending minor updates to the Accounts Receivable, Gifts, and Unattended Child policies. In the attached documents, strikeouts indicate language to be removed from the policies; new language is indicated in red.

The Data Privacy policy changes will make the policy language consistent with the language in Minnesota Statutes.

Staff is recommending a change from a Conduct policy to a Library Use policy. The changes to this policy were reviewed by library management and supervisory teams and by the Racial Equity Leadership Team.

BOARD ACTION REQUESTED:
To approve the recommended changes to the Accounts Receivable, Gifts, Unattended Child, and Data Privacy policies; to approve the changes from a Conduct policy to a Library Use policy.

Accounts Receivable

Approved by: Library Board
Approved Date: Wednesday, July 15, 2009

In order to be ~~a strong~~ an effective steward of limited public resources, the Ramsey County Library will take all appropriate and cost effective actions to aggressively collect accounts receivable and ensure firm, fair and consistent collection steps. The Library is responsible for managing accounts receivable and collecting debts owed to it. Accordingly, the Library will:

- Manage its own accounts receivable;
- Develop and maintain systems that are adequate to properly account for and report its receivables;
- Develop a receivables management plan;
- ~~If the Library is planning on utilizing the collection services of the County Attorney, outline how those services will be utilized.~~

Customers owing $25 or more in fines and fees will be considered for Ramsey County Library's debt collection process.

The Ramsey County Library will:

1. Maintain an accurate record of each debt;
2. Provide accurate and timely debtor statements;
3. Report relevant receivable information to the Library and County management;
4. Obtain timely payment of debts owed;
5. Write off uncollectible debts.

The Library utilizes ~~the SirsiDynix Horizon~~ an integrated library system (ILS) to manage its customer accounts. Accounts reaching collection status are tracked separately.

Gifts

Approved by: Library Board
Approved Date: Wednesday, April 16, 2008
Reviewed Date: Wednesday, April 17, 2013
Review Schedule: Every 5 years
Next Review Date: 2017

The Library welcomes and encourages gifts of materials, money, and property. It is the policy of the Library that such gifts will be used solely for the purpose of enhancement to, not replacement for, government funding of basic library materials or services. The Library has the right to refuse any gift.

The Ramsey County Library Board of Trustees encourages potential donors to make their gifts to the Friends of the ~~Suburban~~ Ramsey County Libraries.

The Library Director will approve the acceptance of gifts valued up to ~~$5,000~~ $25,000. Gifts exceeding ~~$5,000~~ $25,000 in value will be brought to the Board of Trustees for appropriate action.

No donation of materials or property will be accepted unless it is made unconditionally and without restrictions or unless the Board of Trustees has accepted the donor's condition or restriction.

The Library will not accept any offers, gifts, or agreements that would result in placing a material obligation or a lien upon the Library's general budget revenues.

The Library cannot guarantee the permanence of any gift. All gifts may be used, sold, donated, or disposed of in the best interest of the Library.

Books and Other Materials
The Library will accept materials only with the stipulation from the donor that the Library may use the materials in any manner it deems appropriate. Materials may be added to the Library's collection, discarded, donated to other charitable organizations, or sold at the Library's discretion.

The Library reserves the right to assign any of its materials to any of its branch libraries at its discretion. Conditions that limit access to materials or their use may not be imposed upon materials included in the Library's collection.

Monetary Gifts
The Library may accept gifts of cash, securities, and bequests to enhance the Library's services. When publicly traded stock and other types of securities are contributed to the Library, it will be the policy of the Library to sell the securities at the earliest opportunity, thereby converting them to cash.

Property Gifts
The Library will accept gifts of real, intellectual, or personal property including, but not limited to, furniture, equipment, computers, patents, and trademarks, that support the mission of the Library on a case-by-case basis. The Library will accept property only with the stipulation from the donor that the Library may use the property in any manner it deems appropriate. The Library reserves the right to assign gifts of property to any of its branch libraries at its discretion.

Acknowledgment of Gifts
In accordance with tax regulations, the Library will provide a written acknowledgment of the receipt of gifts leaving the determination of a value of the donation to the donor.

Unattended Child

Approved by: Library Board
Approved Date: Wednesday, March 18, 2009
Reviewed Date: Wednesday, April 17, 2013
Review Schedule: Every 5 years
Next Review Date: 2017

~~The~~ Ramsey County ~~libraries~~ Library offers many programs and services that encourage children to develop a love of books, reading and learning. The staff in each of the Ramsey County Library buildings strives to create an inviting and fun environment for children.

Parents and caregivers must be aware that libraries are public buildings and it is not in the best interest of children to be left unattended. Children under the age of eight ~~must~~ are required to be accompanied by an adult or a responsible older adolescent. Parents and legal guardians are responsible for the behavior of their minor children in the Library or on Library grounds whether they accompany them or not. ~~The~~ Ramsey County Library does not take responsibility for children using the ~~library~~ Library.

If an unattended child* comes to the attention of Library staff, staff will make a good faith attempt to contact the parent or guardian. If the parent or guardian cannot be reached, the child will be referred to the local law enforcement agency.

Library staff cannot be expected to monitor or prevent an unattended minor child from leaving the building.

* An unattended child is an unattended child of any age whose safety or well-being would be at risk if sent outside the Library building. Examples include: a child who is too young to be on his/her own, a child in an unsafe area, or a child left alone outside of the library after business hours. Although this definition may apply to older children, it applies to all children under the age of eight. Children under the age of eight ~~must~~ are required to be accompanied by an adult or responsible older adolescent.

Data Privacy

Approved by: Library Board
Approved Date: Wednesday, April 16, 2008
Reviewed Date: Wednesday, April 17, 2013
Review Schedule: Every 5 years
Next Review Date: 2017

Data Practices Act
Minnesota has enacted legislation addressing the privacy of library records. Relevant points of the Data Practices Act regarding library records are as follows:

~~Public vs. Private Data.~~ Private Data: Library Borrowers
Section 13.40 subd. 2:
(a) Except as provided in paragraph (b), the following data maintained by a library are private data on individuals and may not be disclosed for other than library purposes except pursuant to a court order.

~~1.~~ (1) data that link a library ~~customer's~~ patron's name with materials requested or borrowed by the ~~customer~~ patron or that link a ~~customer's~~ patron's name with a specific subject about which the ~~customer have~~ patron has requested information or materials; or

~~2.~~(2) data in applications for borrower cards, other than the name of the borrower.

(b) A library may release reserved materials to a family member or other person who resides with a library ~~customer~~ patron and who is picking up the material on behalf of the ~~customer~~ patron. A ~~customer~~ patron may request that reserved materials be released only to the ~~customer~~ patron.

Section 13.02, subd. 12:
"Private data on individuals" ~~means~~ are data ~~which is~~ made by statute or federal law applicable to the data: (a) not public; and (b) accessible to the individual subject of the data.

Relationship of Minors to Parents/Guardians
Section 13.02, subd. 8: "Individual" means a natural person. In the case of a minor or an ~~individual adjudged mentally incompetent~~ incapacitated person as defined in section 524.5-102, subdivision 6, "individual" includes a parent or guardian or an individual acting as a parent or guardian in the absence of a parent or guardian, except that the responsible authority shall withhold data from parents or guardians, or individuals acting as parents or guardians in the absence of parents or guardians, upon request by the minor if the responsible authority determines that withholding the data would be in the best interest of the minor.
"Minor" ~~is defined as~~ means an individual under the age of 18. (Minnesota Statutes, sec. 645.451, subd. 2)

~~Conduct~~ Library Use

Approved by: Library Board
Approved Date: Wednesday, April 15, 2015
Revised Date: Wednesday, April 15, 2015
Reviewed Date: Wednesday, April 15, 2015
Review Schedule: Every 5 years
Next Review Date: 2016

~~The~~ Ramsey County Library ~~seeks to provide an environment~~ supports the rights of all individuals to free and equal access to information and use of the library and seeks to provide a welcoming environment that is conducive to ~~the development of ideas~~ collaboration, exploration and discovery.

To this purpose, the ~~rules of conduct are~~ library use policy is intended to guide behavior so that a safe, ~~and~~ respectful, and inclusive environment is maintained for all library ~~customers~~ users. ~~The following rules apply to all individuals visiting Ramsey County Library properties.~~

~~Causing a nuisance as defined in Minnesota Statute § 561.01 is prohibited. A nuisance is anything that is:~~

- ~~Harmful to the health of a person, or~~
- ~~Offensive to the senses of a person, or~~
- ~~An obstruction to the free and unrestricted use and enjoyment of the library property by other persons~~

A Safe Environment

Maintaining a safe environment on Ramsey County Library property is essential to ensure access to all users. Committing or attempting to commit any activity that would constitute a violation of any federal, state or local criminal law or ordinance is prohibited on Ramsey County Library property. ~~Behaviors not allowed~~ Examples of prohibited activities include but are not limited to:

- ~~Behavior that is prohibited by law~~
- ~~Brandishing weapons of any type~~
- Physical behavior that has the potential to cause harm to others, such as running, pushing or fighting ~~is unsafe to library users or library staff or can reasonably be expected to damage library property or the property of others~~
- ~~Verbal abuse and harassing behaviors directed at other library users or library staff~~
- Trespassing in non-public areas of the library
- Brandishing weapons of any type
- Consuming alcoholic beverages and using ~~controlled~~ illegal substances
- Smoking and vaping in library buildings or within fifty feet of library entrances and library outdoor events

- ~~Soliciting on library property. See solicitation policy~~
- ~~Odors or activities which are offensive to the normal sensibilities of other library users.~~

A safe environment also requires:

- Children under the age of 8 are required to be accompanied by a responsible adult or a responsible older adolescent. ~~For their safety, all children and vulnerable adults should have supervision in the library. See unattended child policy and unattended vulnerable adults policy~~
- Staff has the right to ask that children of any age or vulnerable adults be directly supervised.
- Animals other than service animals or animals for library programs are not allowed in the library nor may they be left unattended at library entrances.
- ~~Smoking is not allowed in library buildings or within fifty feet of library entrances and library outdoor events.~~
- ~~Noise that is unreasonable in duration and volume is not allowed in the library. Cell phone ring tones should be turned off in the library and phone conversations longer than a few minutes should be conducted in lobby areas.~~
- ~~Careful use of library materials is required. Library furniture and other equipment must be used in the designated places. Damage to library property is prohibited under Minnesota Statute § 609.541.~~
- ~~Internet users (wireless as well as library internet computers) must abide by the requirements for acceptable use outlined in the Ramsey County Library Internet access policy. Those using library internet access computers must follow the library branch limitations on time and manner of use. See Internet access policy~~
- Bicycles must be left outside the library in bicycle racks. ~~Using~~ The use of skateboards or other wheeled devices is not allowed ~~in the library or at library entrances~~ on library property. Strollers and wheeled vehicles required for mobility are allowed.

A Respectful and Inclusive Environment

Ramsey County Library provides its users with spaces for engaging with collections, equipment, and community. The maintenance of respect and inclusivity in the use of these spaces is provided for by the following rules:

- Programmatic noise and noise of a reasonable duration and volume are allowed in the library.
- Disruptive cell phone conversations longer than a few minutes should be conducted in lobby areas.
- Verbal abuse including the use of racial, ethnic or other epithets and harassment directed at other library users or library staff is prohibited.
- Causing a nuisance as defined in Minnesota Statute 561.01 is prohibited. This can include but is not limited to odors or activities which are offensive to reasonable sensibilities.

- Shirt and shoes are required to be worn in the library.
- Soliciting, panhandling and gambling are not allowed on library property.
- ~~Animals other than service animals or animals for library programs are not allowed in the library nor may they be left unattended at library entrances.~~
- Careful use of library materials, furniture, and equipment is required. Library equipment must be used in the designated places.
- Internet users (wireless as well as library internet computers) must abide by the requirements for acceptable use outlined in the Ramsey County Library Internet access policy.
- ~~Please inform a staff member if you feel another's behavior or activity is unreasonably interfering with your use and enjoyment of the library.~~

Enforcement of the Library Use Policy

~~These rules~~ The Library Use Policy will be enforced in a fair and reasonable manner. The library staff has the right to make decisions that are in the best interest of the library whenever these ~~rules~~ guidelines do not specifically cover a situation.

- Whenever possible, staff will first ~~educate~~ inform individuals about the applicable policies before taking ~~stronger~~ measures to enforce those policies.
- If an individual continues to violate these policies, staff may order them to leave for the day.
- Any conduct that threatens the safety of any person or that is damaging to library property, equipment or facilities will result in immediate expulsion from the library premises.
- Library staff will contact local law enforcement officers for severe or illegal behavior or when an individual refuses to leave when told by staff to do so.
- Repeat misconduct or severe offenses (even if a single isolated event) may be cause for a temporary or permanent prohibition from using library facilities and services, arrest, or prosecution.

Staff will follow the established procedures outlined in "Banning Procedures." The Ramsey County Library Director or the Director's designee shall be responsible for making the determination of a suspension of library privileges for longer than one ~~day~~ month.