

ADMINISTRATIVE RULES FOR THE DOUGLAS COUNTY LIBRARY SYSTEM

1. General Provisions:

1.1. Legal Authority for Rules: These rules are adopted pursuant to Douglas County Code §2.20.130.

1.2. Definitions: Definitions in Douglas County Code §2.20.020 shall apply to words and phrases used in these rules unless the context clearly indicates otherwise.

1.3. Purpose: These rules are intended to implement and complement the provisions of Douglas County Code, Chapter 2.20 and to aid in fulfilling the mission of the library as stated in the County Code.

1.4. Conflicts between Code and Administrative Rules: In the event of a conflict or discrepancy between the provisions of Chapter 2.20 of the Douglas County Code and these rules the provisions of the Code shall take precedence over the rules.

1.5. Interpretation: When, in the administration of these rules, there is a doubt regarding the intent of the rules, the Director may request an interpretation of the rules by the Library Board. The Library Board may issue a written interpretation to resolve the doubt. Interpretation of these rules shall be based on the following considerations:

1.5.1. The mission of the library and the stated purpose and intent of Chapter 2.20 of the Douglas County Code and these rules.

1.5.2. The opinion of the Director.

1.5.3. The opinion of the County Counsel.

1.6. Review by Board of Commissioners: The interpretation of the Library Board under subsection 1.4 shall be forwarded to the Board of Commissioners. The Board of Commissioners shall have the right to overrule or modify the Library Board's interpretation.

1.7. Effect of Interpretation: Any interpretation issued by the Library Board or the Board of Commissioners shall not contradict the express provisions of the Douglas County Code or these rules and shall not be deemed to amend these rules or the Code.

2. Library Cards:

2.1. Applications by Individuals: An application by an individual for a personal library card shall be signed by the applicant. The application shall contain the following information and shall be verified by documentation acceptable to the Director:

2.1.1. Applicant's full name.

2.1.2. Applicant's current home address and mailing address. General delivery, motels, hotels and transient facilities are unacceptable addresses.

2.1.3. Applicant's date of birth. (*Section 2.1 Revised 10/26/09*).

2.2. Proof of Residence and Identity for Individuals: that provides home and mailing address must be presented at the time of registration.

2.2.1. Any document or combination of documents approved by the Director or other authorized library employee that sufficiently verifies the address provided by the applicant.

2.2.2. If the applicant is subject to subsection 2.3, the parent or legal guardian must provide proof of residence and identity.

2.2.3. Any applicant signing responsibility for a library card must maintain all cards in good standing. Should any card become delinquent, it will subject all cards to loss of borrowing privileges.

2.3. Applications by Juveniles and Incapacitated Individuals: An application shall be signed by the applicant's parent or legal guardian if:

2.3.1. The applicant is under sixteen years of age, or

2.3.2. The applicant is under eighteen years of age, lives with a parent or legal guardian, and does not possess one of the documents listed in subsections 2.2.1 and 2.2.7; or

2.3.3. The applicant is subject to a guardianship under ORS Chapter 126.003, and the applicant lacks the capacity to incur the obligations of a cardholder without the approval of the applicant's guardian.

2.4. Library Cards For Corporations, Governmental Agencies, and other Juristic Persons: Library cards may be issued to corporations, governmental agencies, and other juristic persons upon the following conditions:

2.4.1. The application shall contain the following information:

2.4.1.1. The address and telephone of the applicant's principle place of business, and the applicant's address and telephone number in Douglas County.

2.4.1.2. The address and telephone number of the individual signing the application if different than information required by subsection 2.4.1.1.

2.4.2. The applicant's address shall be verified by documentation

acceptable to the Director which may include business card, letterhead, utility bill, printed check, or bank statement.

2.4.3. The application shall be signed by an officer or agent authorized to act on behalf of the applicant who shall personally guarantee the applicant's obligations as a card holder. The officer or agent shall provide proof of authority to sign.

2.5. Suspension of Borrowing Privileges: A cardholder's borrowing privileges shall be suspended if the cardholder is in violation of the provisions of the County Code, these administrative rules, or other library policies. (*Revised 10/9/06*)

2.6. Reinstatement of Borrowing Privileges: A cardholder's borrowing privileges may be reinstated at the discretion of the Director if the borrower is no longer in violation of the provisions of the County Code, these administrative rules, and other library policies.

3. Use of Facilities and Materials:

3.1 Library fees, loan periods and sanctions are set forth in a document filed in the County Journal. Such fees, loan periods, and sanctions, as they may be amended from time to time, are incorporated in these rules as though fully set forth herein.

3.2 Children's Use of Facilities and Materials: Because children have various degrees of intellectual development and background, and parents have differing philosophies of child rearing, the library will provide access to the collection and services without restriction based on age in accordance with the Library Bill of Rights incorporated by reference in the Code. The responsibility for a child's use of library materials shall be borne by the child's parent or guardian.

3.3 Suspension of Library Computer Privileges: A patron's library computer privileges may be suspended if the patron is in violation of library policies, including the library's "Internet Access Policy" as well as time limits, registration requirements, and behavior rules posted near the library computers in each branch.

3.4 Reinstatement of Library Computer Privileges: A patron's library computer privileges may be reinstated at the discretion of the person in charge at each branch when s/he receives reasonable assurance that the patron will comply with library policies for computer use. (*Section 3 revised 10/9/06*)

4. Maintenance of Collection:

4.1. Selection Policy: Selection and acquisition of library materials shall reflect and implement the mission of the library as stated in the Douglas County Code.

4.2. Participation in Selection: The Director and the library's professional staff shall be primarily responsible for selection of materials. All library staff and the public shall be encouraged to submit recommendations for materials to be purchased. All recommendations shall be seriously considered for inclusion in the library collection in accordance with selection criteria adopted pursuant to subsection 4.3 of these rules.

4.3. Criteria for Selection of Materials: Selection criteria and decisions shall be subject to review and approval by the Library Board. Materials shall be selected to satisfy the separate and diverse interests, backgrounds, social values, and needs of Douglas County citizens. General selection criteria should include: readability, accuracy of factual material, quality of writing, timeliness, cost, format, need by the community, the existing collection of materials on the same subject, the power of the materials to stimulate or provoke thought, and the material's proven or potential interest to community library users.

4.4. Criteria for Withdrawal: Materials shall be systematically withdrawn from the collection when they are no longer useful. Materials may be withdrawn if they are outdated, no longer of interest or in demand, are duplicate copies of seldom used titles, worn or mutilated, infrequently used, or superseded by newer and more valid materials. Professionally trained librarians shall be assigned responsibility for withdrawing materials.

4.5. Disposition of Withdrawn Materials: The Director shall determine the most appropriate disposition of materials that are withdrawn from the collection and donated materials that are not accessioned. The Director may delegate authority to make such determinations to a professional librarian. The Director shall endeavor to dispose of materials in a manner that will result in continued beneficial use of the materials. The Director may dispose of materials by the following methods:

4.5.1. Materials may be donated to other libraries for beneficial use by patrons of those libraries. Libraries in Douglas County shall receive first consideration for such donations.

4.5.2. Materials may be consigned to any "Friends of the Library" organization whose sole purpose is to support the library. The consignee shall sell the materials subject to the following conditions:

4.5.2.1. Any book sale shall be coordinated with the Director and the Library Board.

4.5.2.2. Fifteen percent of the revenue from sales of withdrawn materials after expenses may be retained by the consignee. The remainder of all proceeds shall be deposited in the Douglas County Library Foundation Book Fund and used for the purchase of new materials for the library.

4.5.2.3. Any materials that are not sold shall be disposed of in accordance with subsection 4.5.3 or 4.5.4.

4.5.3. Materials that are not wanted by another library or are not sold by a consignee pursuant to subsection 4.5.2 may be donated to educational institutions, nonprofit charitable organizations, or researchers who will retain and use the materials.

4.5.4. Materials of negligible use or value that cannot be disposed of by donation or sale in accordance with this section may be discarded in accordance with state and local statutes, ordinances, and rules governing solid waste disposal and resource recovery.

5. Donations:

5.1. Donated Materials: Materials donated to the library, if accepted, shall be the property of the County subject to the following conditions:

5.1.1. Donations of materials shall be subject to the selection and withdrawal criteria stated in Rule 4.

5.1.2. The library will not accept donations of materials with conditions regarding retention or replacement that are inconsistent with the library's selection and withdrawal policies.

5.1.3. If donated materials are not suitable for the collection, they may be accepted for sale pursuant to Rule 4.5.2.

5.2. Donations of Other Property: Personal property, other than materials, that is donated to the Library, if accepted by the County, shall be the property of the County subject to the following conditions:

5.2.1. The library will not accept donations of personal property with conditions regarding retention or replacement of the property.

5.2.2. If donated property is not suitable for use by the library, it may be accepted for sale and the proceeds shall be credited to the library fund.

5.2.3. The Library Board shall make a written recommendation to the Board of Commissioners on acceptance or disposition of donated personal property, and the Board of Commissioners shall make the final decision to accept, retain, or dispose of such property. Decisions on acceptance or disposition of donated personal property shall be based on the following criteria:

5.2.3.1. The financial impact of acceptance.

5.2.3.2. Conditions on disposition of the property imposed by the donor.

5.2.3.3. Congruity with the mission of the library.

5.2.3.4. Congruity with library facilities.

5.2.3.5. Artistic qualities of the property.

5.3. Donations of Money: If money is donated upon the condition that it is used for acquisition of specific materials, it may be accepted only if the materials requested by the donor are suitable for selection pursuant to Rules 4.1 through 4.3. If money is donated upon the condition that it is used for acquisition of specific personal property other than materials, it may be accepted only if the property designated by the donor is deemed suitable for use by the library in accordance with the criteria stated in Rule 5.2.

6. Organization of Library Board:

6.1. Subcommittees: Subcommittees established by the Library Board pursuant to §2.20.060 F of the Douglas County Code shall include at least one member of the Library Board. The Library Board may co-opt subcommittee members who are not on the Library Board.

6.2. Public Meetings: The Library Board and any subcommittees established by the Library Board are subject to the provisions of ORS Chapter 192 concerning public meetings and public records, and the Director shall take appropriate action to assure compliance with those statutes. The Director or a library employee designated by the Director shall serve as recording secretary for the Library Board and subcommittees.

7. Library Records:

7.1. Scope of Rule: This section applies to all public records as defined in ORS 192.005 (5) that are made, received, filed, or recorded in connection with the operations of the library, including documents on paper and machine readable electronic records.

7.2. Disclosure of Circulation Records: Pursuant to ORS 192.502 (22), and except as noted in sections 7.2.1-7.2.3 below, the following records of the library will not be disclosed by the library or any officer, employee, or agent of the library who has access to those records:

- (a) Circulation records, showing use of specific library material by a named person;
- (b) The name of a library patron together with the address or telephone number of the patron; and
- (c) The electronic mail address of a patron.

7.2.1. Records concerning use of library materials by any child under the age of 18 years may be disclosed to the parent or guardian of the child.

7.2.2. The library may use records to further the operations and interests

of the library, and the library may disclose records to the County Counsel, the County Accountant, and other officers, employees, and agents of the County as necessary to protect the interests of the library and to enforce the provisions of these rules, Chapter 2.20 of the County Code, or Oregon law.

7.2.3. Records may be disclosed pursuant to a court order compelling disclosure or a search warrant. (*Section 7.2 revised 10/9/06 and 01/01/08*).