



Policy Manual

South Portland, Maine 04106

Revised 01/30/15

Table of Contents

	<i>Page</i>
<u>Introductory Documents</u>	
City of South Portland Code of Ordinances, Chapter 13: Libraries	5
History of the south Portland Public Library	11
Chronology of Significant Events	13
How to Contact the Library	15
<u>Policies</u>	
Mission Statement	17
Objectives	17
Code of Conduct	19
Membership	21
Circulation of Materials / Loaning Agreement	23
Checkouts and Renewals	24
Fines and Fees	24
Reminders, Notices and Bills	25
Access Policy	27
Library Advisory Board	29
Friends of South Portland Public Library	29
Volunteers	29
Outreach Services	31
Bulletin Board	33
Security	33
Children and Supervision	33
Unattended Children and Young Adults	33
Storm Closing	34
Gifts Policy	35
Library Meeting Rooms	37
Materials Selection Policy	39
Internet Policy	45
Internet Safety for Minors	46
Guidelines to Accessing the Internet in the Adult Department	46
<u>Appendices</u>	
Library Bill of Rights	51
Confidentiality Statement	53
The American Library Association’s “The Freedom to Read” Statement	55
The American Film and Video Association’s “The Freedom to View” Statement	59
American Library Association Code of Ethics	61
Request for Reconsideration of Library Resources Form	63

SOUTH PORTLAND CODE OF ORDINANCES
Chapter 13
LIBRARIES*

State law reference(s)--Libraries, generally, 27 M.R.S.A. § 1 et seq.

Art. I. In General, §§ 13-1--13-17
Art. II. Library Director, §§ 13-18--13-32
Art. III. Library Advisory Board, §§ 13-33--13-41

ARTICLE I. IN GENERAL

Sec.13-1. "Board" defined.

Unless otherwise indicated, the word "Board" when used in this chapter shall mean the Library advisory Board.

Sec. 13-2. Library Department created.

There is hereby established a Library Department, in accordance with section 304 of the city charter.

(Code 1966, § 2-10-1)

Charter reference(s)--Authority to establish departments within the city government, § 304. ---

Secs. 13-3--13-17.Reserved.

ARTICLE II. LIBRARY DIRECTOR

Sec. 13-18. Position established.

The position of library director is hereby established.

(Code 1966, § 2-10-4)

Sec. 13-19. Appointment.

As provided by section 302.1 of the city charter, the Library Director shall be appointed by the City Manager on the basis of merit and qualifications.

(Code 1966, § 2-10-4; Ord. No. 14-09/10, 2/17/10 [Fiscal Note: Less than \$1000])

Sec. 13-20. Position included in personnel classification, compensation plan.

The position of Library Director shall be included in the personnel classification and compensation plan of the City, and the Library Director shall have annual performance evaluations by the City Manager.

(Code 1966, § 2-10-4, Ord. No. 14-09/10, 2/17/10 [Fiscal Note: Less than \$1000])

Sec. 13-21. Duty to supervise library department.

The library director shall supervise the entire operation of the library department.

(Code 1966, § 2-10-4)

Sec. 13-22. General duties, responsibilities.

The functions, duties and responsibilities of the Library Director shall be to:

- (1) Act as technical advisor and liaison to the Board; recommend needed policies for Board action; recommend employment of all personnel to the City Manager and supervise their work;
- (2) Carry out the policies of the Library as adopted in conjunction with the Board;
- (3) Develop and implement plans for extending the Library's services;
- (4) Prepare regular reports embodying the Library's current progress and future needs;
- (5) Maintain an active program of public relations;
- (6) Prepare an annual budget for the Library in consultation with the Board and give a current report of expenditures against the budget at each meeting;
- (7) Know local, state and national laws and actively support Library legislation in the state and nation;
- (8) Oversee collection development;
- (9) Attend all Board meetings and may serve as secretary to the Board;
- (10) Affiliate with the state and national professional organizations and attend professional meetings and workshops;
- (11) Make use of the services and consultants of the state Library extension agency;
- (12) Report regularly to the Library Advisory Board, to the City Manager and to the Council; and
- (13) The Library Director is responsible for orientation and ongoing stewardship of Library Advisory Board Members.

(Code 1966, § 2-10-4, Ord. No. 14-09/10, 2/17/10 [Fiscal Note: Less than \$1000])

Sees. 13-23--13-32. Reserved.

ARTICLE III. LIBRARY ADVISORY BOARD*

* Charter reference(s)--Authority to establish agencies, § 203

Sec. 13-33. Created.

In accordance with section 304 of the city charter, a library advisory board is hereby created.

(Code 1966, S 2-10-2)

Sec. 13-34. Purpose.

As representatives of the community, the board acts in an advisory capacity for the purpose of providing assistance to other municipal officials charged with the responsibility of furnishing quality public library services. The Board works collaboratively with the Library Director to develop and determine library policies, long range plans, and other pertinent initiatives for ultimate presentation to the City Council for approval and adoption.

(Ord. No. 14-09/10, 2/17/10 [Fiscal Note: Less than \$1000])

Sec. 13-35. Composition and quorum; qualifications.

(a) The Board shall consist of seven (7) members, one from each of the five (5) voting districts of the city and two (2) "at large." A quorum shall consist of four (4) members.

(b) An appointee to the Board shall be a qualified elector of the city if appointed as an "at large" member, and if appointed to represent a voting district shall be a voter and resident of the district for which he is appointed.

(Code 1966, § 2-10-2; Ord. No. 7-73, 2-21-73; Ord. No. 8-80/81, 7-21-80, Ord. No. 14-09/10, 2/17/10 [Fiscal Note: Less than \$1000])

Cross reference(s)--Voting districts described, §§ 6-1--6-5.

Sec. 13-36. Appointments; terms of office.

(a) The City Council shall, by order, appoint the members of the Board.

(b) The terms of office of the Board members shall be three (3) years and until their successors are duly appointed and qualified. All terms of office shall expire on the last day of December.

(Code 1966, § 2-10-2, Ord. No. 14-09/10, 2/17/10 [Fiscal Note: Less than \$1000])

Sec. 13-37. Vacancies.

(a) Vacancies on the Board are governed by Code of Ordinances Sec. 2 121.

(b) A vacancy on the Board shall be filled by the City Council with another qualified person from that district for the unexpired term of the resigned or removed member.

(Code 1966, § 2-10-2; Ord. No. 8-80/81, 7-21-80, Ord No. 4-99/00, 9/8/99,[Fiscal Note: Less than \$1000] Ord. No. 14-09/10, 2/17/10 [Fiscal Note: Less than \$1000])

Sec. 13-38. Compensation.

Members of the Board shall serve without pay.

(Code 1966, § 2-10-2; Ord. No. 14-09/10, 2/17/10 [Fiscal Note: Less than \$1000])

Charter reference(s)--Council to fix compensation of its appointees, § 230.

Sec. 13-39. Duty to elect chairman, secretary.

In January of each year the board shall elect from its membership a chairman and a secretary.

(Code 1966, § 2-10-2; Ord. No. 14-09/10, 2/17/10 [Fiscal Note: Less than \$1000])

Sec. 13-40. Meetings.

Generally, the board shall meet monthly. However, the Chair may cancel a scheduled meeting if a quorum will not be convened, if there are no items for the agenda, or for other good cause. In no event shall the board meet less often than quarterly.

(Code 1966, § 2-10-2 ; Ord. No. 14-09/10, 2/17/10 [Fiscal Note: Less than \$1000])

Sec. 13-41. Functions, duties, responsibilities.

The Board shall undertake certain responsibilities and provide recommendations to municipal officials charged with the responsibility of furnishing quality public library services as follows:

- (1) Become familiar with the services as provided by the City’s Library Department
- (2) Interview with the City Manager all qualified persons, making recommendations for the employment of a competent and qualified Library Director. The ultimate appointment of the Library Director is the responsibility of the City Manager.
- (3) Work with the Library Director to determine and adopt written policies to govern the operation and program of the Library, including but not limited to the following:
 - (a) Type and quality of library materials that comprise the Library collection;
 - (b) Services to the community, including schools, special groups and nonresident borrowers;
 - (c) Use of facilities; and
 - (d) Methods of extending services into the community
- (4) Determine the purposes of the Library and know the program and needs of the Library in relation to the community; keep abreast of state standards and Library trends;
- (5) Advise the Library Director in preferred methods of delivery of library services, including suggested hours of operation, programming and needs of the library facilities;

- (6) Work with the Library Director to establish, support and participate in a planned public relations programs;
- (7) Make recommendations to the City Council for charges and fines for lost or overdue library materials and other library fees;
- (8) Advise the Library Director in the preparation of the annual general fund budget and capital improvement budget of the Library;
- (9) Work with the Library Director to develop and establish long range plans for services, operations and facilities for the Library;
- (10) Work with the Library Director to develop, establish and support cultural programs sponsored by the Library;
- (11) Solicit volunteers for Library programming and capital campaigns;
- (12) Be familiar with and know local and state laws pertaining to libraries and actively support Library legislation in the state and nation;
- (13) Satisfy the attendance requirements for all boards and commissions of the City as set forth in Code of Ordinances Sec. 2-121(d);
- (14) See that accurate records of Board meetings are maintained and made available at the Library;
- (15) Report monthly to the City Manager and City Council; and
- (16) Perform other related responsibilities as may be requested by the City Council, Library Director, or City Manager.

(Code 1966, § 2-10-3; Ord. No. 14-09/10, 2/17/10 [Fiscal Note: Less than \$1000])

History of the South Portland Public Library

Attempts to establish a public library in South Portland can be traced back into the nineteenth century. But the first significant official step toward achievement of this goal was made in 1938. In that year three City Council members and three members of the Osewantha Garden Club were appointed " to formulate and draw up proper ordinances, orders, or resolves for the establishment of a library in South Portland." They recommended that the Knightville School House, then situated at the junction of Ocean Street and Cottage Road be used as the library and an initial sum of \$15,000 be appropriated to make it suitable for the purpose. This proposal, however, went down to defeat in a referendum of that year, with 840 citizens voting for its passage and 1,041 against. Fortunately, despite this setback, the City Council did not let the matter drop completely. In 1939, they sold the Knightville School House and provided that this money, plus that received from future rental of the land on which it had stood, plus any other gifts or appropriations designated for the purpose, be set aside as a special library fund.

No further specific action was taken for library service until 1952, when, following a study made by a citizens' committee under the chairmanship of Dr. Robert G. Albion, a contract was negotiated with the Portland Public Library. Under its provisions South Portland residents could use Portland's library as freely as its own residents, with the City of South Portland, paying \$5,000 a year, plus \$4.00 for each card holder beyond 1,250.

This cooperative plan worked very well, but it became obvious that a city the size of South Portland should have some form of a library within its own city limits. In 1959, City Manager Bernal B. Allen proposed that a portion of what was then the high school, when the addition to the Junior High was completed, might be used as a public library. Through the cooperation of the South Portland High School Librarian, Mrs. Florence H. Hascal, in the summer of 1961 the high school library was opened to the public two evenings a week. Money from the City's library fund was used to purchase books, and the high school collection was also made available for general public use.

In 1962, the newly formed South Portland Junior Chamber of Commerce chose the building of a library as their community project. A tentative site was chosen, plans were drawn, and a public subscription campaign was launched. It was not due to lack of effort and enthusiasm on their part that their \$100,000 goal was not reached. But they had aroused community interest anew and credit goes to them for another step in the evolution of the library.

It was the youth of the city who finally set the spark motivating official government action. In January 1964, an eighth grade social studies class from South Portland Junior High School, after much research and opinion seeking under the guidance of their teacher, Mr. Terrence Christy, brought to the City Council its plea for a public library. The Council reacted immediately by appointing a library study/building committee. This was followed by the hiring of an architect, (John Leasure from the firm of Leasure, Turtle & Lee, Architects), a library building consultant, the choosing of a site, and the appointment of a Library Advisory Board. On October 16, 1965 ground was broken for the \$300,579 building, of which sum approximately 58 percent was provided by the federal Library Services Act.

Temporary headquarters had already been set up in the basement of the Brown School in June 1965, with the transfer of the public library book collection from the high school library. Mrs. Sarah White Jackson was appointed Acting Director and carried out the preliminary organization and acquisition of books until the appointment of Mrs. Ann Bauer as Director in September 1965. The move into the new library building was made on August 25, 1966 and the doors were opened for service to the public on December 10, 1966. The goal was reached. The dreams and hopes of many far-sighted citizens were finally realized.

The next director William D. Alexander, III was appointed in August, 1973 followed in October, 2000, by Marian Agazarian Peterson. In 2008, Kevin M. Davis, Manager of the Branch Library since 2003, was appointed Library Director.

Chronology of Significant Events

- 1966 Establishment of South Portland Public Library at 482 Broadway
- 1974 Friends of the South Portland Public Library organized
- 1975 Myrtle B Jenkins bequest of \$3 8,422 received
- 1976 Branch Library on Wescott Road opens
- 1977 Outreach service begins with a van and one part-time staff
- 1978 City Council/Manager reduces the staff by 20% (2 full and 2 part-time staff)
- 1980 Virginia McVey bequest of \$8,484 received
- 1981 Sandra Coolbroth bequest of \$48,263 received
- 1983 Received energy reimbursements for installation of window quilts
- 1984 Contract with Dynix signed; Pertec purchased; volunteers begin data entry
- 1985 South Portland Public Library automated with Dynix, circulation begins
- 1987 LSCA Grant to renovate storage, creating Young Adult room
- 1988 Computer upgraded to IBM-RT
- 1989 Raymond J. Callahan bequest of \$65,612 received
- 1991 Council/Manager close the Branch, lay off five employees at the Branch; reduce the book budget by 1/3
- 1992 Branch reopens with one part-time staff and 50 volunteers
- 1992 3M security system installed at the Main Library
- 1994 Computer upgraded to IBM RSC6000; Dial a Story started
- 1995 Public access terminals made available; updating of physical card catalog stops; long range planning process begins
- 1996 South Portland Public Library celebrates its 30th anniversary
- 1998 New Circulation desk; new HVAC system installed; asbestos removal; Road Runner connected to the library; South Portland Public Library Web page goes online.
- 1999 Internet access for the public is available
- 2000 South Portland Public Library joins the MINERVA system
- 2001 South Portland Public Library collection on-line. Patron records on-line. Renewal online available; 2 part-time circulation aides hired; opening 5-8PM Thursday evening, 9AM to 3PM on Saturday.
- 2002 Library building treated with an elastomeric coating.

How to Contact the Library

You may contact either the Main or Branch locations of the South Portland Public Library by using the information below

Main Library
482 Broadway
South Portland, Maine 04106
Phone: (207) 767-7660
FAX: (207) 767-7626

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Memorial Branch Library
155 Wescott Road
South Portland, Maine 04106
Phone: (207) 775-1835
FAX: (207) 773-1036

E-mail: Director@SouthPortlandLibrary.com

Web Site: <http://www.SouthPortlandLibrary.com>

South Portland Public Library Policies

1.3 MISSION STATEMENT

South Portland Public Library welcomes all citizens to the wealth of accumulated knowledge and provides free resources to support the interests of its patrons.

1.5 LIBRARY OBJECTIVES

- To affirm the Library Bill of Rights, the Freedom to Read, and the Freedom to View statements of the American Library Association (See Appendices)
- To assemble, preserve, and administer quality collections in a variety of formats in order to promote the communication of ideas and development of an enlightened citizenship
- To serve the community as a center of reliable, up-to-date, and accurate information
- To provide a helpful, well-trained staff to facilitate and stimulate use of the library's resources
- To support the educational, civic, and cultural activities of groups and organizations within the community
- To provide opportunity and encouragement for children, young adults, men, and women to read, to learn, and to educate themselves
- To provide opportunity for recreation through the use of literature, music, films, other art forms, and computer-related programs
- To provide and support Memorial Branch Library for the residents of the west side of South Portland
- To develop a public relations program that will inform everyone of library events and services and, thereby, create an awareness of library resources and services and stimulate their use
- To involve residents in the identification of informational needs and to develop collections and programs to meet these needs

2.2 CODE OF CONDUCT

Welcome to South Portland Public Library

South Portland Public Library is open to the public for the purpose of reading, studying, learning, working, researching, and using library materials, facilities, and equipment.

Rules Related to Behavior in the Library Building

The purpose of these rules is to provide for the comfort of persons working and using the library. While in the library, all persons shall observe these rules. No persons shall:

- (1) Engage in conduct that interferes with another's use or enjoyment of the library
- (2) Damage, deface, or misuse library materials, property, or facilities
- (3) Remove library materials or equipment from the building without permission
- (4) Engage in physical intimacy, disruptive conduct, or loud conversations
- (5) Conduct cell phone conversations that distract other patrons
- (6) Bring animals into the library, except those required for personal assistance or those required for library programming
- (7) Smoke, eat, or drink anywhere in the public areas, except that food and non-alcoholic beverages are permitted in the Meeting Room and Reading Area during authorized functions
- (8) Be under the influence of alcohol or drugs or engage in any substance abuse while on library property
- (9) Engage in abusive language or abusive behavior toward other patrons or library staff
- (10) Solicit, sell, campaign, or petition for any reason except as permitted by the Library Advisory Board

3.2 LIBRARY MEMBERSHIP (REVISED 1/14/12)

All library transactions requiring access to a library users' account requires the presentation of a valid South Portland Public Library card for that account.

Library cards are issued to those aged 5 and above. Applicants under the age of 18 require the *in-person* signature of a parent or legal guardian, assuming financial responsibility for the library account.

Use of the library services - including computer use and borrowing privileges – may be denied for due cause, such as loss of materials, excessive fees, destruction of library property, and/or conduct in violation of library policies.

Unless cancelled for any other reason, a South Portland Public Library card is valid for one year. Library accounts may be renewed – annually – for as long as the account is in good standing and the user maintains eligibility.

Lost or damaged library cards may be replaced at a cost of \$1.00.

Eligibility

South Portland Residents

A South Portland citizen who has proper identification authenticating his/her South Portland residency is eligible for a library card, at no cost.

Proper identification for the issuing of a library card is:

A valid, Maine state-issued photo identification showing current South Portland residency

Or

A state or federal issued photo identification *in conjunction with* any of the following, showing current South Portland residency and issued in the same name as the identification provided:

- Utility bill dated within the last 30 days
- A South Portland issued tax bill/tax receipt dated within the past three months
- Current lease, mortgage papers, or rent receipts that officially state the property address (that is, no handwritten receipts; must be a preprinted form which shows the bank or realty company name)
- Current vehicle registration, in the name of the applicant, showing a current South Portland address

Non-Residents

The South Portland Public Library offers the following options for non-resident users...

Free Library Card

A library card – at no cost – may be issued to non-resident visitors in the following situations:

- An employee of the City of South Portland who has a valid, City –issued identification card.
- A non-resident South Portland taxpayer with a valid tax receipt for authentication (property holders, business proprietors, and/or boat owners).
- Students enrolled in a South Portland institution of higher education (i.e., Southern Maine Community College (SMCC), Husson College, Kaplan University) with valid student identification that authenticates current enrollment.
- A non-resident student at a public or private school in South Portland. A signed note from a school administrator or current student identification is required. The library card is for this student's use only.
- Military service personnel stationed in South Portland.

Non-Resident Fee for Library Service

Non-resident visitors *not* meeting the criteria for a free card, above, may obtain a South Portland Public Library card at a cost of \$30.00 for one year. This fee is an approximation of the average annual resident taxpayer contribution toward library services. Nonresident library accounts are valid for use by other members of a household but, as with all other library transactions, the library card must be presented at time of use.

Applicants for a non-resident card must provide valid, state-issued, photo identification.

(Policy endorsed by Library Advisory Board, 1/14/12)

4.0 CIRCULATION OF LIBRARY MATERIALS (REVISED 11/19/13)

Items in the library's lending collections are the property of the City of South Portland and are purchased with local tax dollars for the use and enjoyment of all members of our community. To maintain fair and equal access to these shared materials, library items should be returned on or before due dates. Users are responsible for returning library materials complete and in the same condition they were originally borrowed. This includes all covers, cases, inserts and accessories that may be considered a part of the circulating item.

4.1 LOANING AGREEMENT FOR LIBRARY MATERIALS

When an individual applies for the privilege of using the South Portland Public Library, they accept the membership agreement as printed on the application form:

"I agree to be responsible for all materials borrowed against this South Portland Public Library account and to adhere to all of the Library's policies. I will notify the Library immediately if my contact information changes or if my card is lost. I agree to be held financially responsible to the City of South Portland for any fines, fees or other charges accrued on this account, according to the Library's policies."

When a juvenile applies for the privilege of using the South Portland Public Library, the parent or guardian who signs the registration application accepts the membership agreement as printed on the juvenile account application form:

"I agree to be responsible for all materials borrowed against this South Portland Public Library account and to help the child applicant understand and adhere to all of the Library's policies. I will notify the Library immediately if any contact information for this account changes or if the card is lost. I agree to be held financially responsible to the City of South Portland for any fines, fees or other charges accrued on this account, according to the Library's policies."

State law mandates that all library transactions, including registrations, loans, and other records, are strictly confidential. No information related to a library account is shared with anyone other than the account holder without the written permission of the account holder or under court order.

The full text of Maine's *Confidentiality of Library Records* statute is printed in this manual's appendices.

Parents should be aware that juvenile patron records are not specifically exempted in this statute. Maine libraries and South Portland Public Library interpret this statute to cover *all* patron records, without exception, including children's accounts.

4.2 CHECKOUTS AND RENEWALS

All library materials circulate for 21 days and may be renewed one time for an additional 14 days.

Renewals are allowed on library materials except when:

- the item has a "hold" on it for another user
- the item has been renewed previously
- the library user has accumulated excessive fines (\$6.00 for adults, \$3.00 for juveniles)

Renewals can be done online, at: www.SouthPortlandLibrary.com

The Library maintains a small selection of reference materials that cannot be checked out and must be used within the library.

All checkouts and/or renewals (in person, via telephone or online) require a library card in order to access the library account being used.

4.3 FINES AND FEES

Items returned past their due date are subject to overdue fines. Items returned incomplete, damaged or not returned at all, are subject to partial or full replacement fees, at the discretion of the library.

In the event that an item is returned late, an overdue fine will be charged, as follows:

- Books, audio books, music, magazines and art prints: \$.10 per day, per item, with a maximum fine of \$5.00 per item overdue
- Video materials: \$.25 per day, per item, with a maximum fine of \$5.00 per item overdue

Library privileges are suspended if cumulative fines and/or fees reach or exceed \$6.00 for adults or \$3.00 for juveniles.

Library users are responsible for any items checked out on their library account. If a library card is lost or stolen, the loss should be reported at once by phone, in person, or by e-mail.

To insure that your library account is properly credited, fines must be paid in person, directly to library staff. Please do not place any payments in the library's book drops or inside returned materials. Please do not leave payments unattended on any desk.

Overdue fines and replacement fees should be paid promptly. *As a partner in the statewide MINERVA system, failure to settle your account with the South Portland Public Library may impact your ability to get a library card at other Maine libraries.*

4.4 Reminders, Notices and Bills

The library will make an effort to remind users of materials coming due or which have become overdue. However, responsibility for the timely return of borrowed materials falls solely on the user and not the library.

- For users who have registered an email address with their account, the library will automatically send an “items due soon” reminder a few days prior to an item coming due.
- Users with email accounts are contacted again via email when materials are 5 days overdue.
- Another overdue notice is emailed - or patrons are contacted by phone - when materials are 10 days overdue.
- A bill is created when materials are 20 days overdue and will state the replacement cost of the material that has not been returned.

If an item is more than 45 days overdue, the library reserves the right to refuse the return of the item, and the replacement cost for the item will be due.

Per Maine State Statute, title 17-A, part 2, chapter 15, the failure to return library materials within the established time frame is considered a class D crime of theft.

Access to library services will be suspended for any patron with outstanding billed items on their library account, until the overdue item(s) is/are returned or the amount due is paid in full.

When a juvenile cardholder has not complied with library loan rules, the final notice/bill will be attached to the record of the parent or guardian who signed juvenile's registration card and/or lives at same address. This notice will automatically restrict borrowing privileges for these users until the overdue items are returned or the bill is paid. The responsible adult patron may not use another child's card at this address until all responsibilities to the library have been fulfilled.

The status of your library account, including items checked out, due dates and any charges applied to your account, may be viewed at any time via the library's web site:

www.SouthPortlandLibrary.com

(Policy endorsed by Library Advisory Board, 01/30/15)

6.1 ACCESS POLICY

1. Parents and legal guardians are responsible for deciding what books and other library materials are appropriate for their children and teenagers. This policy reflects the **American Library Association's *Library Bill of Rights***. It states that "...a person's right to use a library should not be abridged because of origin, age, background or views." The library may contain books and other materials that some parents may find inappropriate for their own children and young adults. South Portland Public Library encourages parents/guardians to help their children and young adults select library resources in keeping with their family's values.
2. The "South Portland Public Library will not restrict access by minors to library materials. This policy is in accordance with the ***Library Bill of Rights*** and the American Library Association policy that states that "libraries should bear in mind that they do not serve *in loco parentis*"
3. Because the responsibility for children's use of library materials rests with their parents/guardians, the library does not restrict the use of various collections and, therefore, the library does not assume liability in a child's choice of reading or viewing material.

7.3 LIBRARY ADVISORY BOARD

The Library Advisory Board consists of seven (7) members appointed by City Councilors. Members are responsible for sharing advice reflective of community citizens' opinions regarding policies governing the operation and program of the library. The Library Advisory Board supports South Portland Public Library as one of the community's most valuable assets. The Board meets monthly and performs in an advisory capacity to the library director and to the City Council regarding library budget, library personnel, and policy. Principles of equity, open and affordable access, privacy, first amendment rights, and easy access to electronic information guide the Advisory Board and their deliberations.

7.4 THE FRIENDS OF THE SOUTH PORTLAND PUBLIC LIBRARY

The Friends of the South Portland Public Library is a citizen advocacy group that supports the mission of South Portland Public Libraries. It preserves and strengthens the public library. The group also creates awareness and appreciation of library services. The organization works to raise money to assist in any way possible to make the library visible and viable to the community. The Friends sponsor the annual Spring Point Festival Paperback Book Sale and the Gigantic Used Book Sale. Funds raised are used for purchases that enhance and benefit library programs and services.

7.5 VOLUNTEERS

Community members may wish to volunteer at South Portland Public Library. The Volunteer Coordinator will ask for a volunteer application form to be completed and will conduct an interview with prospective candidates. Forms are available at the Circulation Desk.

8.2 OUTREACH SERVICES

South Portland Public Library offers an outreach service for South Portland residents that delivers books and materials to persons who are temporarily or permanently homebound and unable to visit the Main or Branch Libraries. The OutReach Librarian visits private homes, nursing homes, elderly complexes, and group homes. To schedule this service,, please call the Circulation Desk and ask for the OutReach Librarian.

9.1 BULLETIN BOARD *(REVISED 10/08/11)*

A bulletin board is provided, as a community service, for the posting of information about cultural, educational and other activities of local interest, subject to the guidelines below.

- Notices should be 8 ½“ x 11” in size or less.
- Library staff is responsible for all postings. Any notice to be posted must be left with library staff. No notices are to be posted without staff involvement.
- Notices may be posted subject to space, timing, and size.
- All notices must be marked with the date the notice is delivered to the library.
- The library reserves the right to refuse and/or remove items for any reason.
- The posting of notices does not imply endorsement of the South Portland Public Library or the City of South Portland.
- Library staff is responsible for the maintenance of the library’s bulletin boards and are responsible for interpreting this policy and monitoring its implementation.

9.4 SECURITY

Library materials are protected by an electronic security system in order for the library to serve patrons better. This security system attempts to minimize losses.

The library reserves the right to inspect patron's backpacks and personal bags for library materials.

9.5 CHILDREN AND SUPERVISION

Parents are responsible for ensuring the safety and appropriate behavior of their children while they are in the library.

Because a library is a public facility, a young child is not safe when left unattended in the library. The Children's Room is not always staffed. Even when staff is on duty, a staff member cannot know if a child is leaving with a parent, a friend, or a stranger. The library assumes no responsibility for a child left unattended on the premises.

9.8 UNATTENDED CHILDREN AND YOUNG ADULTS

When a child is not picked up by closing time, the person responsible for closing the library must deal with the situation.

1. Staff will try to contact the child's parent/guardian. If after 1/2 hour the child is still awaiting a parent/guardian, staff will call the South Portland Police Department who will take temporary custody of the child.
2. A note will be left on the library door for the parent/guardian to go to the Public Safety Building.
3. No one on the staff should ever take a child home or to the police station or anywhere else. A police officer will come to the Library to assist.
4. Two staff will remain in the building with the child until the parent/guardian or police officer arrives.

9.9 STORM CLOSINGS *(REVISED 11/13/10)*

The South Portland Public Library is a public service department of the City of South Portland. The City Manager will make determinations about the closure of City services due to inclement weather conditions. The Library Director will make determinations about closure – in consultation with other operating City departments – during evening and weekend hours.

10.2 GIFTS POLICY

South Portland Public Library recognizes that the community served is primarily responsible for the financial support of its public library. It also recognizes the importance of private philanthropy and private initiative in extending, enriching, and improving-the services of the library. South Portland Public Library encourages tax-supported and privately endowed gifts and bequests.

The Library Advisory Board believes that a memorial gift or bequest in the form of funds or securities for library purposes presents an opportunity to commemorate or honor an individual or a group. The Library Advisory Board welcomes memorials and/or bequests. The South Portland Corporate Council and Library Director are prepared to assist anyone who would like to make an endowment or bequest to South Portland Public Library.

For a bequest and/or memorial gift, the library serves in an advisory capacity to the donor. The City Council has the ultimate authority to accept and expend funds.

The library accepts gifts of books and other materials with the understanding that they will be added to the collection using the same standard of materials selection used to decide purchases.

When books, videos, or other materials for the collection are offered to the library, staff will advise donors of the Gifts Policy. The patron must understand the following statements of policy:

- (1) Suitable items will be added to the collection after they pass the scrutiny of South Portland Public Library's Materials Selection Policy
- (2) Gift items entered into the library collection will not be separately shelved but will be integrated into the collection. An exception is the Kaler Collection of historically significant children's books
- (3) Items not added to the collection or items not useful to the library may be refused or disposed of appropriately, including adding to the Friends of the South Portland Public Library annual book sale, offering items to another library, selling items, or recycling items. Any funds realized will be added to The Friends of South Portland Public Library's budget
- (4) Pursuant to Section 155a of the Tax Reform Act of 1984 and IRS regulations, library staff cannot do an evaluation/appraisal of the gift for tax purposes for the donor
- (5) A donation card for tax purposes is available at the Circulation Desk. Library staff will date and indicate the number of books included in the gift. No prices or values will be listed
- (6) The Branch will offer any gifts not added to its collection to the Main Library before a final disposition. Likewise, Main Library gifts are checked with the Branch's collection for appropriateness
- (7) Gifts of furniture, technology, computers, or other in-kind materials will also be accepted under terms stated above. A donation letter for tax purposes will be issued. No prices or values will be listed

Policy on Library Meeting Room Use

The South Portland Public Library provides meeting/activity space, for use by the public, at both of its locations. The facilities are available, when not otherwise needed for library or municipal activities, on a first come, first served basis during regular library operating hours. These facilities are available to South Portland area organizations engaged in educational, cultural, intellectual or charitable activities. Meetings must be open for public attendance without charge. Priority on use is as follows: library functions, Municipal functions, and South Portland groups/residents. Exceptions require the approval of the director and/or Library Advisory Board.

Available library space is as follows:

- **Main Library (482 Broadway)**
Large meeting/activity room: comfortably seats 100. Available for use: small riser/stage, chairs, tables podium, projection screen, television, adjoining kitchenette and restroom. Other library spaces, for smaller group meetings, may be available at the discretion of the Library Director.
- **Branch Library (155 Wescott Road)**
Small meeting/activity room: Comfortably seats 20. Available for use: chairs, tables, television and adjoining restrooms.

Use of the library facilities for non-library related functions is limited to one use a month. Limited series of more frequent usage may be scheduled at the discretion of the Library Director.

Arrangements for use of library facilities are made through the Circulation Desk Supervisor (Main Library, 767-7660 and Branch Library, 775-1835). To allow maximum use of the facilities, requests for scheduling consideration will be accepted no more than 3 months in advance of the requested date. Unless otherwise arranged with the Library Director, organizations/individuals requesting use of the library space may only schedule one booking at a time.

Use of library space does not imply endorsement, support, or co-sponsorship by South Portland Public Library of the activities that take place in, or of beliefs of the group using, the library's facilities. Groups or individuals using the meeting room may not imply that the event or program is sponsored, co-sponsored, or endorsed by the library in any advertising or publicity. Neither the name nor the address of the library may be used as the official address of headquarters of any organization.

Each individual or organization agrees to comply with the South Portland Public Library Policy on the use of meeting rooms - a copy of which will be provided - and further agrees fully to indemnify and hold harmless the South Portland Public Library and the City of South Portland against the claims of any and all persons for personal injury, death or property damage occasioned by or in connection with the organization's occupation and use of the Library premises, whether by negligence or otherwise.

The Library Advisory Board reserves the right to make such changes in these rules as may seem advisable, to reject any or all applications, or to cancel any permission, when in its discretion such cancellation seems advisable.

GUIDELINES

1. An authorized representative of the Library must be present in the building during any meeting.
2. Smoking, the use of tobacco products, the use of non-prescription drugs, and the consumption of alcoholic beverages are prohibited in the library's buildings.
3. Admission may not be charged nor monies collected for attendance at events. The Library Advisory Board may make exceptions. An author may be allowed to sell his/her book at the discretion of the Library Director. Friends of South Portland Public Library may sponsor fundraising events such as the annual book sale, BookWalk, or other events.
4. For meetings booked for after 5:00pm on weeknights and weekend daytime, a \$30.00 fee is required to cover support services. The room is available without charge from 10:00am to 5:00pm, Monday through Friday.
5. When fees are required, the use of the kitchen (Main Library only) requires an additional \$10.00 fee. This includes use of the coffeemaker. Dishes must be washed by the organization and kitchen left clean after use. Organizations using the kitchen facilities will provide their own linens, i.e., dish cloths, dish towel, etc. The use of library spaces includes the responsibility of cleaning up after use. All food, paper, bottles, and cans must be placed in an appropriate trash container. Upon departure no litter should be evident.
6. Organizations using the library spaces are asked to report damage to equipment, broken dishes, etc. to the Circulation Desk or attending person before leaving the building and to be prepared to pay for replacement or repair. Failure to report damage will disqualify this individual or group from future use of library facilities
7. No charge is made for the use of the library's audio-visual equipment. Arrangements for use of any equipment must be made through the Circulation Desk prior to the date of the meeting.
8. The library requires payment to be completed before the room may be used. Application must be on file in the library 48 hours prior to the meeting. Room fees must be paid within 48 hours of the reservation. Refunds will be granted only under the following conditions:
 - The library closes for any reason
 - Cancellation is made at least one week before the meeting
 - Inclement weather creates bad driving conditions even though the library may not be closed.

MATERIALS SELECTION POLICY

12.1 Purpose

The purpose of the South Portland Public Library materials selection policy is to guide librarians and to inform the public about the professional standards and principles upon which librarians base their selection decisions.

A policy cannot replace the judgment of librarians, but stating goals and indicating boundaries will assist them in choosing from the vast array of materials available.

12.2 Scope of the Collection

South Portland Public Library's collections are intended to meet the informational, educational, cultural, and recreational needs of its citizens. The scope of the collection is to be sufficiently broad to offer a choice of format, treatment, and level of difficulty so that the library-needs of most individuals can be met and individuals of all ages can be served. The collection is not archival; it is reviewed and revised on an ongoing basis to meet contemporary needs. The library shall always be guided by a sense of responsibility to the past, present, and future.

12.3 Selection Objectives

The primary objective of selection shall be to collect materials of contemporary significance and of lasting value. To this end, librarians shall add materials that enrich the collections and maintain an overall balance. Further, the library shall make available materials for enlightenment and recreation. The library also shall provide a representative sampling of experimental and ephemeral materials, even though such materials may not have enduring interest and value.

12.4 Selection Principles

Library materials shall be selected for values of interest, information and enlightenment of all the people of the community. The library will include material without regard to the race, nationality, age, gender, sexual orientation, or the political or religious views of the writer. The library shall provide the fullest practicable range of material presenting a wide variety of views concerning the problems and issues of our time. Materials of sound, factual authority should not be proscribed or removed from library shelves because of partisan or doctrinal disapproval.

The selection of any material for the library's collections does not constitute an endorsement of its contents. The library recognizes that many materials are controversial, and that any given item may offend some patrons. Selection decisions are not made on the basis of any anticipated approval or disapproval, but solely on the merits of the work in relation to the collection and the needs and interests of the community.

The responsibility for children's use of the library materials rests with their parents or legal guardians. The selection of materials intended for use by adults shall not be inhibited by the possibility that they may be accessible to use by children.

12.5 Criteria for Selection

Librarians must consider each type of material for its excellence and the audience for which it is intended. No single standard can apply to all acquisition decisions. Librarians may select some material primarily for its artistic merit, scholarship or its value as a human document, while they choose others to satisfy the recreational and entertainment needs of the community.

A small percentage of library materials are subject to widespread and/or heavy local demand. These high-demand items may or may not meet the general or specific criteria contained in this policy. In either case, librarians give serious consideration to the volume and nature of requests by members of the public. In addition, as the social and intellectual climate of the community changes, materials which librarians originally did not recommend for purchase, may become of interest. Such materials will be re-evaluated as the need arises.

To build a collection of merit and significance, librarians acquire materials according to objective guidelines. They evaluate all acquisitions, whether considered for purchase or donated to the library, by examining reviews in one or more of the professional library review media and checking against the standards listed below.

12.7 General Criteria

- Overall purpose
- Contemporary or permanent value/interest/demand/appeal
- Authority, skill, competence, reputation, and significance of the author
- Reputation and standards of the publisher
- Clarity, accuracy, objectivity, and readability
- Social significance
- Comprehensiveness and depth of treatment
- Appropriateness and effectiveness of the medium to the content
- Quality and suitability of the physical format to the library collection
- Attention of critics and reviewers
- Importance of the subject matter to the collection
- Scarcity of material on the subject
- Price, budgetary, and space limitations
- Availability of material elsewhere in the region or through interlibrary loan
- Potential use
- Need for duplicate materials in the existing collection
- Currency
- Presentation of opposing points of view to allow for balance

12.8 Specific Criteria for the Evaluation of Works of Information and Opinion

- Authority
- Comprehensiveness and depth of treatment
- Objectivity

- Clarity, accuracy and logic of presentation
- Diversity of viewpoint/expression

12.9 Specific Criteria for the Evaluation of Works of Imagination

- Representation of important movement, genre, trends, or national culture
- Literary merit
- Vitality and originality
- Artistic presentation and experimentation
- Sustained interest
- Effective characterization
- Reflection of the human experience

12.11 Responsibility for Materials Selection

The responsibility for assisting in the selection of library materials belongs to members of the staff. The ultimate responsibility for materials selection rests with the Director who operates within the framework of policies determined by the Advisory Board.

All staff members who select materials are expected to adhere to the selection objectives and principals expressed in this policy and to apply their knowledge and expertise in making selection decisions.

The following personnel are responsible for the acquisition choices that meet the library's selection criteria:

- Adult Collection: Library Director, Head of Circulation Services, full-time Circulation Department Library Assistants, Head of Technical Services
- Children's Collection: Head of Children's Services and Children's Services Library Assistant
- Young Adult Collection: Young Adult Services Librarian
- Branch Collection: Branch Manager and Branch Library Assistant(s)

12.12 Selection Methods

Librarians select most materials on the basis of reviews published in sources recognized as reliable and authoritative. These include professional review journals as well as review sources aimed at the general public and on-line sources.

Librarians also consult standard bibliographies such as Public Library Catalog, Children's Catalog, Junior High School Catalog, and Senior High School Catalog and lists of best books published in the library review media, especially for retrospective materials to fill a gap in the collection.

The number of items librarians can select is only a small fraction of the number produced each year. Librarians make all selections with professional judgment adhering to selection criteria.

12.14 Weeding Policies and Procedures

Weeding is the practice of systematically examining and evaluating materials already in the library's collection. In weeding, the selection staff determines whether an individual item

should be retained or withdrawn. If the item is withdrawn, the librarian decides if it should be replaced with a new copy, or with a new title. The librarian may consult a standard bibliography to make this decision.

Librarians withdraw materials for a variety of reasons: perhaps because the information is outdated, the library owns more copies than currently needed, the material is rarely used, or the physical condition of the material is poor. Discarded items may be given to the South Portland Friends of the Library for their annual book sale.

12.15 Gifts

The South Portland Public Library accepts gifts of materials with the understanding that the same guidelines of selection that apply to materials acquired by purchase also apply to gifts. The library reserves the right to evaluate and to dispose of gifts in accordance with the criteria applied to purchased materials and, in addition, the library reserves the right to sell or otherwise dispose of materials not added to the collection.

The library staff may issue to the donor a written statement that indicates the number of items received and the date, but it is the donor's responsibility to indicate to IRS the value of the items given. Pursuant to Section 155a of the Tax Reform Act of 1984 and IRS regulations, the library staff will not appraise or indicate a value for the gift. (Section 10.2)

12.16 Requests for Purchase

Comments, requests, and questions from patrons about the collection provide librarians with useful information about local interests or needs. Librarians evaluate requests for specific items in accordance with selection principles, objectives and criteria set forth in this document.

While the library encourages acquisition suggestions from patrons, the professional staff decides material purchases through committee selection in the Adult Collection.

12.17 Requests for Reconsideration of Library Materials

A singular obligation of the public library is to reflect differing points of view on controversial or debatable subjects within its collections. The South Portland Public Library does not promulgate particular beliefs or views, nor does the selection of an item express or imply endorsement of the viewpoint of the author. Library materials shall not be marked or labeled to indicate approval or disapproval of the contents, nor will items be sequestered, except for the purpose of protecting them from damage or theft.

South Portland Public Library welcomes the expression of opinion by patrons and community members, but will be governed by this materials selection policy in making additions to, or deletions from, its collections. A patron who requests the reconsideration of library materials will be asked to put the petition in writing. Staff will provide a Request for Reconsideration of Library Materials form that the patron will be encouraged to complete and sign. (See Appendix)

Upon receipt of this written request, the Library Director will appoint an ad hoc committee from professional staff including, but not limited to, the selector for the subject area of the item in question and the appropriate department head. The committee will make a written recommendation to the Library Director, who will then decide the disposition of the material. The Library Director will respond in writing to the person who initiated the request for

reconsideration within ten days. If the Director's response is unsatisfactory to the complainant, an appeal may be lodged with the Library Advisory Board at their next regularly scheduled meeting. The Library Director will inform the Library Advisory Board of all requests for reconsideration of library materials, and their disposition.

14.0 Internet Policy

Providing Internet access is consistent with South Portland Public Library's **Mission Statement** and **Philosophy and Objectives** that state that South Portland Public Library provides free resources to support the interests of patrons and ...promotes the communications of ideas and development of an enlightened citizenship. The South Portland Public Library affirms the right of each individual to have access to constitutionally protected materials.

This electronic information source enables the library to provide access to information beyond the confines of its own collections. Currently, the Internet is an unregulated medium. The South Portland Public Library does not monitor and has no control over the information accessed through the Internet and cannot be held responsible for its content or quality. The information available on the Internet includes much that is personally, professionally, and culturally enriching. It also provides access to material that may be offensive or disturbing to some individuals, as well as access to information that may be factually incorrect and /or illegal. As with library materials, restriction of a child's access to the Internet is the responsibility of the parent or legal guardian.

Library patrons must be aware that not all sources on the Internet provide accurate, complete, or current information. The Library Staff is available to assist patrons in finding useful, helpful sites.

South Portland Public Library does not restrict access to materials or protect patrons from information that an individual might find offensive. Patrons may uncover information resources that may be personally controversial or inappropriate. Sexually explicit material may become unexpectedly visible. The library believes that empowering patrons through education is in patrons' best interest.

Internet resources are accessible through the library and are provided equitably to library users. Separate terminals are provided in assigned areas for children, young adults, and adults. Each group of computers is designated for specific patrons. Computers are also assigned as OPAC (On-line Public Access Catalog) for patrons to search South Portland Public Library's holdings. Computers are assigned specific roles and patrons are expected to honor those functions.

South Portland Public Library provides a Web page with linked recommended sites. Patrons are encouraged to use these sites as beginning places on their information search.

Parents/guardians, not the library staff, are responsible for the Internet information selected and/or accessed by their children. Parents/guardians should supervise their children's—and only their children's—access to Internet resources accessible through the library. Parents must supervise their child's use of the Internet in the library.

Internet use will be managed in a manner consistent with the library's Code of Conduct, which are posted in the library. We draw particular attention to Rule # 1 which states that no person shall engage in conduct that interferes with another's use or enjoyment of the library.

Educational materials about safe Internet use for adults, young adults, and children are available in the library.

14.4 INTERNET SAFETY FOR MINORS

Parents/guardians are ultimately responsible for guiding their children in their use of the Internet.. South Portland Public Library affirms the responsibility of parents/guardians to determine the appropriateness of Internet accessed resources for their children. All patrons, including children, must agree to and abide by the library's Code of Conduct. South Portland Public Library supports parents/guardians and their children in the safe and effective use of the Internet by

- Providing links designed for children and teens
- Providing fact sheets about Internet safety
- Offering knowledgeable staff to advise minors about safe and successful Internet use

Parents concerned about their children's use of electronic resources may find help and support in the pamphlet Child Safety on the Information Highway or the companion publication Teen Safety on the Information Highway published by the National Center for Missing and Exploited Children. These are available in the library. South Portland Public Library encourages parents/guardians and their children to protect their safety by keeping the following guidelines in mind:

- People online are not always who they say they are
- Everything that appears online is not necessarily true
- No one should respond to a message that is obscene, threatening, or discomfoting
- No one should share personal information like address, phone number, school, age, family data or financial information online to known or unknown persons
- No child should arrange a face-to-face meeting with a person met on line

14.5 GUIDELINES TO ACCESSING THE INTERNET IN THE ADULT DEPARTMENT

1. Anyone who uses the library may have access to the Internet on appropriate terminals at scheduled times
2. When reserving and using library computers in the Adult Department:
 - Patrons may reserve the Internet access computer up to two hours a week and can reserve a time slot up to seven days in advance
 - Additional time on the computer may be available on a walk-in basis
 - Late-comers (those more than 10 minutes late) may lose their reserved time
 - No more than two persons may sit at a computer at a time
3. Each library department may have slightly different rules regarding computer use in that Department
4. Personal software programs are not to be used on the library computers. This rule exists to prevent computer viruses that are common on public computers
5. Blank diskettes are available from a librarian for a minimal charge (\$ 1.00). Personal diskettes are allowed only on the word processor.

6. South Portland Public Library is not responsible for damage to a patron's disk or computer, or for any loss of data, damage, or liability that may occur from patron use of the library's computers.
7. PRINTING. Each page is \$.25, including unwanted copies. If you do not know how to use the printer, ask a librarian for guidance.
8. Library staff will be glad to assist you in accessing the Internet but cannot provide in-depth training concerning Internet access. Because of library scheduling, Internet trained staff may not always be available for patron assistance. Check at the Circulation Desk regarding computer lessons available at the library.
9. Occasionally the library's Internet connection may be periodically and temporarily interrupted. Usually it is a problem with the library's Internet provider.
10. The South Portland Public Library's electronic resources may be used only for purposes that are legal and consistent with the library's stated mission and philosophy. Unacceptable uses, some of which may be illegal, include, but are not limited to
 - Libeling or slandering or harassment of other library users or staff
 - Disruption or unauthorized monitoring of electronic communications
 - Intentional exposure of other individuals, (particularly children), to material or images they or their parents may find personally unsuitable
 - Unauthorized copying of copyright-protected materials
 - Incurring any costs to the South Portland Public Library

PLEASE REMEMBER THAT MANY TIMES YOU WILL FIND SPECIFIC AND AUTHORITATIVE INFORMATION IN OUR COLLECTION OF BOOKS, PERIODICALS, OR ELECTRONIC DATABASES. Reference assistance is available at the Circulation Desk. Please ask for guidance.

14.6 DISCLAIMER

Since the Internet is a global electronic network, there is no federal, state, or local control of the users or content. Neither content nor usage is monitored. The Internet and its available resources may contain material of a controversial nature. The library staff cannot monitor or control access to such material nor protect users from offensive or inaccurate information. Library staff cannot control the availability or validity of information links that often change rapidly and unpredictably. Users are cautioned that the accuracy, completeness, and currency of information found on the Internet varies widely and, therefore, patrons should use critical judgment in relying on the information found.

14.7 LINKS TO THIRD PARTY SITES

The links included within the City of South Portland Public Library's web pages may let you leave South Portland Public Library's Web site. Links are limited to those that meet our library's purpose. The linked sites are not under the control of South Portland Public Library and the library is not responsible for the contents of any linked site or any link contained in the site, or any changes or updates within such sites. South Portland Public Library is not responsible for web casting or any other form of transmission received from any linked site. The South Portland Public Library is providing these links only as a convenience, and the inclusion of any link does

not imply endorsement or association with their operators by the City of South Portland or South Portland Public Library.

WARNING: Software downloaded from the Internet may contain a virus and you need to have virus-checking software on your computer. Although we use a virus checker on the library's computers, this will not completely protect a user from the chance of downloading a virus.



Policy Handbook

APPENDICES

Library Bill of Rights

The American Library Association affirms that all libraries are forums for information and ideas, and that the following basic policies should guide their services.

- (I) Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation.
- (II) Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.
- (III) Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.
- (IV) Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.
- (V) A person's right to use a library should not be denied or abridged because of origin, age, background, or views.
- (VI) Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.

Adopted June 18, 1948.
Amended February 2, 1961, and January 23, 1980,
inclusion of "age" reaffirmed January 23, 1996,
by the ALA Council.

Maine State Statute: Confidentiality of Library Records

Title 27: LIBRARIES. HISTORY. CULTURE AND ART
chapter 4-A: LIBRARY RECORDS
§121. Confidentiality of library records

Records maintained by any public municipal library, the Maine State Library, the Law and Legislative Reference Library and libraries of the University of Maine System and the Maine Maritime Academy that contain information relating to the identity of a library patron relative to the patron's use of books or other materials at the library are confidential. Those records may only be released with the express written permission of the patron involved or as the result of a court order.

[1997, c. 146, §1 (amd); §2 (aff).]

Section History:

PL 1983, Ch. 208, § (NEW).
PL 1991, Ch. 67, § (AMD) .
PL 1997, Ch. 146, §1 (AMD).
PL 1997, Ch. 146, §2 (AFF) .

The Reviser's Office cannot provide legal advice or interpretation of Maine law to the public. If you need legal advice, please consult a qualified attorney.

Office of the Revisor of Statutes
7 State House Station
State House Room 108
Augusta, Maine 04333-0007
This page created on: 2002-01-08

THE FREEDOM TO READ

The freedom to read is essential to our democracy. It is continuously under attack. Private groups and public authorities in various parts of the country are working to remove or limit access to reading materials, to censor content in schools, to label "controversial" views, to distribute lists of objectionable books or authors, and to purge libraries. These actions apparently rise from a view that our national tradition of free expression is no longer valid; that censorship and suppression are needed to avoid the subversion of politics and the corruption of morals. We, as citizens devoted to reading and as librarians and publishers responsible for disseminating ideas, wish to assert the public interest in the preservation of the freedom to read.

Most attempts at suppression rest on a denial of the fundamental premise of democracy: that the ordinary citizen, by exercising critical judgment, will accept the good and reject the bad. The censors, public and private, assume that they should determine what is good and what is bad for their fellow citizens.

We trust Americans to recognize propaganda and misinformation, and to make their own decisions about what they read and believe. We do not believe they need the help of censors to assist them in this task. We do not believe they are prepared to sacrifice their heritage of a free press in order to be protected against what others think may be bad for them. We believe they still favor free enterprise in ideas and expression.

These efforts at suppression are related to a larger pattern of pressures being brought against education, the press, art and images, films, broadcast media, and the Internet. The problem is not only one of actual censorship. The shadow of fear cast by these pressures leads, we suspect, to an even larger voluntary curtailment of expression by those who seek to avoid controversy.

Such pressure toward conformity is perhaps natural to a time of accelerated change. And yet suppression is never more dangerous than in such a time of social tension. Freedom has given the United States the elasticity to endure strain. Freedom keeps open the path of novel and creative solutions and enables change to come by choice. Every silencing of a heresy, every enforcement of an orthodoxy, diminishes the toughness and resilience of our society and leaves it the less able to deal with controversy and difference.

Now as always in our history, reading is among our greatest freedoms. The freedom to read and write is almost the only means for making generally available ideas or manners of expression that can initially command only a small audience. The written word is the natural medium for the new idea and the untried voice from which come the original contributions to social growth. It is essential to the extended discussion that serious thought requires, and to the accumulation of knowledge and ideas into organized collections.

We believe that free communication is essential to the preservation of a free society and a creative culture. We believe that these pressures toward conformity present the danger of limiting the range and variety of inquiry expression on which our democracy and our culture depend. We believe that every American community must jealously guard the freedom to publish and to circulate, in order to preserve its own freedom to read. We believe that publishers and librarians have a profound responsibility to give validity to that freedom to read by making it possible for the readers to choose freely from a variety of offerings. The freedom to read is guaranteed by the Constitution. Those with faith in free people will stand firm on these constitutional guarantees of essential rights and will exercise the responsibilities that accompany these rights.

We therefore affirm these propositions:

1. *It is in the public interest for publishers and librarians to make available the widest diversity of views and expressions, including those that are unorthodox or unpopular with the majority.*

Creative thought is by definition new, and what is new is different. The bearer of every new thought is a rebel until that idea is refined and tested. Totalitarian systems attempt to maintain themselves in power by the ruthless suppression of any concept that challenges the established orthodoxy. The power of a democratic system to adapt to change is vastly strengthened by the freedom of its citizens to choose widely from among conflicting opinions offered freely to them. To stifle every nonconformist idea at birth would mark the end of the democratic process. Furthermore, only through the constant activity of weighing and selecting can the democratic mind attain the strength demanded by times like these. We need to know not only what we believe but why we believe it.

2. *Publishers, librarians, and booksellers do not need to endorse every idea or presentation they make available. It would conflict with the public interest for them to establish their own political, moral, or aesthetic views as a standard for determining what should be published or circulated.*

Publishers and librarians serve the educational process by helping to make available knowledge and ideas required for the growth of the mind and the increase of learning. They do not foster education by imposing as mentors the patterns of their own thought. The people should have the freedom to read and consider a broader range of ideas than those that may be held by any single librarian or publisher or government or church. It is wrong that what one can read should be confined to what another thinks proper.

3. *It is contrary to the public interest for publishers or librarians to bar access to writings on the basis of the personal history or political affiliations of the author.*

No art or literature can flourish if it is to be measured by the political views or private lives of its creators. No society of free people can flourish that draws up lists of writers to whom it will not listen, whatever they may have to say.

4. *There is no place in our society for efforts to coerce the taste of others, to confine adults to the reading matter deemed suitable for adolescents, or to inhibit the efforts of writers to achieve artistic expression.*

To some, much of modern expression is shocking. But is not much of life itself shocking? We cut off literature at the source if we prevent writers from dealing with the stuff of life. Parents and teachers have a responsibility to prepare the young to meet the diversity of experiences in life to which they will be exposed, as they have a responsibility to help them learn to think critically for themselves. These are affirmative responsibilities, not to be discharged simply by preventing them from reading works for which they are not yet prepared. In these matters values differ, and values cannot be legislated; nor can machinery be devised that will suit the demands of one group without limiting the freedom of others.

5. *It is not in the public interest to force a reader to accept with any expression the prejudgment of a label characterizing it or its author as subversive or dangerous.*

The ideal of labeling presupposes the existence of individuals or groups with wisdom to determine by authority what is good or bad for the citizen. It presupposes that individuals must be directed in making up their minds about the ideas they examine. But Americans do not need others to do their thinking for them.

6. *It is the responsibility of publishers and librarians, as guardians of the people's freedom to read, to contest encroachments upon that freedom by individuals or groups seeking to impose their own standards or tastes upon the community at large.*

It is inevitable in the give and take of the democratic process that the political, the moral, or the aesthetic concepts of an individual or group will occasionally collide with those of another individual or group. In a free society individuals are free to determine for themselves what they wish to read, and each group is free to determine what it will recommend to its freely associated members. But no group has the right to take the law into its own hands, and to impose its own concept of politics or morality upon other members of a democratic society. Freedom is no freedom if it is accorded only to the accepted and the inoffensive.

7. *It is the responsibility of publishers and librarians to give full meaning to the freedom to read by providing books that enrich the quality and diversity of thought and expression. By the exercise of this affirmative responsibility, they can demonstrate that the answer to a "bad" book is a good one, the answer to a "bad" idea is a good one.*

The freedom to read is of little consequence when the reader cannot obtain matter fit for that reader's purpose. What is needed is not only the absence of restraint, but the positive provision of opportunity for the people to read the best that has been thought and said. Books are the major channel by which the intellectual inheritance is handed down, and the principal means of its testing and growth. The defense of the freedom to read requires of all publishers and librarians the utmost of their faculties, and deserves of all citizens the fullest of their support.

We state these propositions neither lightly nor as easy generalizations. We here stake out a lofty claim for the value of the written word. We do so because we believe that it is possessed of enormous variety and usefulness, worthy of cherishing and keeping free. We realize that the application of these propositions may mean the dissemination of ideas and manners of expression that are repugnant to many persons. We do not state these propositions in the comfortable belief that what people read is unimportant. We believe rather that what people read is deeply important; that ideas can be dangerous; but that the suppression of ideas is fatal to a democratic society. Freedom itself is a dangerous way of life, but it is ours.

This statement was originally issued in May of 1953 by the Westchester Conference of the American Library Association and the American Book Publishers Council, which in 1970 consolidated with the American Educational Publishers Institute to become the Association of American Publishers.

Adopted June 25, 1953; revised January 28, 1972, January 16, 1991, July 12, 2000, by the ALA Council and the AAP Freedom to Read Committee.

A Joint Statement by: American Library Association
Association of American Publishers

Subsequently Endorsed by:

American Association of University Professors
American Booksellers Foundation for Free Expression
American Society of Journalists and Authors
The American Society of Newspaper Editors
Anti-Defamation League of B'nai B'rith
Association of American University Presses
Center for Democracy & Technology
The Children's Book Council
The Electronic Frontier Foundation
Feminists for Free Expression
Freedom to Read Foundation
International Reading Association
The Media Institute
National Coalition Against Censorship
National PTA
Parents, Families and Friends of Lesbians and Gays
People for the American Way
Student Press Law Center
The Thomas Jefferson Center for the Protection of Free Expression

Freedom to View Statement

The **FREEDOM TO VIEW**, along with the freedom to speak, to hear, and to read, is protected by the First Amendment to the Constitution of the United States. In a free society, there is no place for censorship of any medium of expression. Therefore these principles are affirmed:

1. To provide the broadest access to film, video, and other audiovisual materials because they are a means for the communication of ideas. Liberty of circulation is essential to insure the constitutional guarantees of freedom of expression.
2. To protect the confidentiality of all individuals and institutions using film, video, and other audiovisual materials.
3. To provide film, video, and other audiovisual materials which represent a diversity of views and expression. Selection of a work does not constitute or imply agreement with or approval of the content.
4. To provide a diversity of viewpoints without the constraint of labeling or prejudging film, video, or other audiovisual materials on the basis of the moral, religious, or political beliefs of the producer or filmmaker or on the basis of controversial content.
5. To contest vigorously, by all lawful means, every encroachment upon the public's freedom to view.

This statement was originally drafted by the Freedom to View Committee of the American Film and Video Association (formerly the Educational Film Library Association) and was adopted by the AFVA Board of Directors in February 1979. This statement was updated and approved by the AFVA Board of Directors in 1989.

Endorsed by the ALA Council January 10, 1990

AMERICAN LIBRARY ASSOCIATION CODE OF ETHICS

As members of the American Library Association, we recognize the importance of codifying and making known to the profession and to the general public the ethical principles that guide the work of librarians, other professionals providing information services, library trustees and library staffs.

Ethical dilemmas occur when values are in conflict. The American Library Association Code of Ethics states the values to which we are committed, and embodies the ethical responsibilities of the profession in this changing information environment.

We significantly influence or control the selection, organization, preservation, and dissemination of information. In a political system grounded in an informed citizenry we are members of a profession explicitly committed to intellectual freedom and the freedom of access to information. We have a special obligation to ensure the free flow of information and ideas to present and future generations.

The principles of this Code are expressed in broad statements to guide ethical decision making. These statements provide a framework; they cannot and do not dictate conduct to cover particular situations.

I. We provide the highest level of service to all library users through appropriate and usefully organized resources; equitable service policies; equitable access; and accurate, unbiased, and courteous responses to all requests.

II. We uphold the principles of intellectual freedom and resist all efforts to censor library resources.

III. We protect each library user's right to privacy and confidentiality with respect to information sought or received and resources consulted, borrowed, acquired or transmitted.

IV. We recognize and respect intellectual property rights.

V. We treat co-workers and other colleagues with respect, fairness and good faith, and advocate conditions of employment that safeguard the rights and welfare of all employees of our institutions.

VI. We do not advance private interests at the expense of library users, colleagues, or our employing institutions.

VII. We distinguish between our personal convictions and professional duties and do not allow our personal beliefs to interfere with fair representation of the aims of our institutions or the provision of access to their information resources.

VIII. We strive for excellence in the profession by maintaining and enhancing our own knowledge and skills, by encouraging the professional development of co-workers, and by fostering the aspirations of potential members of the profession.

*Adopted by the ALA Council
June 28, 1995*



Request for Reconsideration of Library Resources

The South Portland Library Advisory Board delegates the responsibility for selection and evaluation of library/educational resources to the Library Director and has established these reconsideration procedures to address citizen concerns about a resource.

Completion of this form is the first step in those procedures. If you wish to request reconsideration of a library resource, please return the completed form to Library Director, South Portland Public Library, 482 Broadway, South Portland, Maine 04106

Your name _____ Date _____
(please print)

Address _____

City, State and ZIP _____

Phone _____ E-mail address _____

Do you represent yourself _____ or an organization _____ (please specify)

Resource on which you are commenting:

Author/Title/Publisher of the work in question _____

What brought this resource to your attention? _____

Have you examined the entire resource? _____

What concerns you about the resource? _____

(If you need additional space, please attach another sheet of paper.)

Do you know other resources that provide additional information and/or other viewpoints on this topic? _____

Your signature _____

Adopted by South Portland Public Library Advisory Board, August 2002