

SUPPLEMENT 3

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### **I. General Guidelines**

- A. The Howard County Library System (HCLS) Board of Trustees (“Board”) sets all policies that relate to the operation of branches including, for purposes of this supplement, any charges assessed for use of HCLS materials, services, and facilities.
- B. The President & CEO plans and directs HCLS' strategic milestones within the policy framework established by the Board.

### **II. Planning HCLS Strategic Milestones and Facilities**

- A. Strategic Planning—strategic milestones. Every five years, the Board approves a Strategic Plan for HCLS and its strategic milestones.

Strategic Planning—Facilities. The Board has adopted the *Howard County Library Facilities Assessment and Master Plan: Facilities and Services – 2005 to 2030*.

- B. Fiscal Year Planning
  - 1. Based upon the strategic plan, the President & CEO presents annually, for Board approval, projections for HCLS' strategic milestones and facilities over the next five years. After the budget is approved, the President & CEO presents, for Board approval, any changes required based on available funding.
  - 2. Initial budget issues and projections are presented for discussion in September and throughout the development process. Board approval of the Capital and Operating budgets takes place in September or November (Capital) and January (Operating).

### **III. Naming of Future Branches or Areas Within a Branch**

- A. Typically, a branch will be named for the geographic area in which it is located. A room or an area of a branch may be named for a person who has had a distinguished record of commitment to the Howard County community, or, in recognition of a substantial donation.
- B. A written request for this honor may be made to the President & CEO by any branch of the County Government, any County organization, a County resident, or a family member. The request should include the reason(s) the individual should be honored and should describe the individual's accomplishments and contributions to the community and/or HCLS.
- C. The President & CEO will contact the Board Chair and, if they determine that the nomination has merit, they will include the request at a future Board meeting, for Board review and approval.
- D. The Board will approve all branch plaques or signs associated with such designations.

## IV. Library User Responsibilities

### A. Policy Statement and Details

Howard County Library System is committed to providing welcoming and safe surroundings with equitable access to library services to create an environment free of harassment, physical discomfort, danger, emotional stress, and unfair or arbitrary treatment. The Library Board of Trustees, employees and library users have a shared responsibility to maintain a positive and respectful environment. Every member of the public has the responsibility to maintain appropriate standards of behavior. Library users who are children and teens have the same rights and responsibilities as adult library users. Library users are required to comply with the following Library User Conduct and Responsibilities Statement in order to be able to continue to use or visit the Library.

HCLS is a limited public forum. All public spaces in each branch exist for activities consistent with the library's mission including reading, studying, attending programs, and using the library's materials and technology. Behaviors consistent with these purposes are permitted.

As a user of the Howard County Library System, I agree to:

1. refrain from engaging in disruptive behavior, such as creating excessive noise, or misusing Library property;
2. avoid intimidating, harassing, abusing, or offending behavior and the use of profanity;
3. comply with expected standards of dress, including wearing shirt, bottom and shoes inside at all times and refraining from wearing headwear that obscures the face, except as a religious obligation or for medical reasons;
4. refrain from participating in illegal actions such as theft and vandalism or behaving in a manner that endangers the safety or health of others;
5. receive permission from the President & CEO prior to bringing animals into the Library, with the exception of service animals and vendor or partner animals for Library classes or events. Under Maryland law, a service animal is defined as a guide dog, signal dog, or other animal individually trained to do work or perform tasks for the benefit of a person with a disability;
6. refrain from soliciting for any purpose on Library property unless authorized;
7. accompany children under the age of 8 in my care in the Library, supervising their behavior and safety;
8. comply with Filming and Photography guidelines;
9. keep food and beverages in covered containers, consume food only in designated areas;
10. keep out of restricted and "non-public" areas;
11. avoid blocking or obstructing any entrance or exit of the Library with any object including myself, animals, bicycles, strollers, etc.;
12. exit promptly when instructed at closing time or in an emergency and not be inside the Library when it is closed unless accompanied by staff or a Board member;
13. abstain from distributing, consuming, or being under the public influence of controlled drugs and substances, alcohol or tobacco (including vape products) while on Library property;
14. comply with Library policies and the reasonable requests of staff, not obstructing or interfering with Library staff in the performance of their duties.

No weapon is permitted inside HCLS buildings nor on HCLS grounds at any time. Weapons are objects or implements capable of causing harm to another or used in such a way as to cause harm to another. The term weapon can include: gun and gun facsimiles including pellet, Orbeez, and

BB guns; firearm or other firearm facsimile; knife; chemical spray; poison; taser; martial arts weapon (e.g., throwing star, nunchakus, sword and sword facsimile); explosive device; and any implement, visible or concealed, possessed under a circumstance that would reasonably lead a person to believe it was a weapon or would be used as a weapon.

**B. Consequences of Violation of the User Conduct and Responsibilities Statement**

In response to behavior in breach of the User Conduct and Responsibilities Statement, the Library reserves the right to:

1. suspend or revoke access to library services and facilities;
2. contract for security services in library facilities;
3. call the police for assistance; and/or
4. require that costs incurred by conduct in breach of the policy be recovered.

The Library Board of Trustees is empowered by Maryland State Law Section 23-405: Powers and duties of board, to "Determine the policy of the library; and adopt reasonable rules, regulations, and bylaws for the use of the library and the conduct of its business."

**C. Personal Belongings**

For the health and safety of community members and staff, and to ensure unimpeded access to the library's services and collections, HCLS has established guidelines for personal belongings brought into the library.

1. Roller skates, scooters, skateboards, bicycles, or other similar recreational devices may not be used on library premises.
2. Personal belongings should not obstruct aisles, walkways, corridors, doorways, workspaces, or reading areas of library facilities. Personal belongings must be able to fit under a study table or chair. Anything that does not fit in that space is not allowed in the library.
3. Personal belongings may not be left unattended on library premises. Staff may dispose of unattended personal items if the owner cannot be identified, or items are not claimed.

**V. Public Safety: Immigration Enforcement**

**Policy Statement and Details**

Howard County Library System (HCLS) upholds its unwavering commitment to community member privacy. HCLS and its staff shall not provide community member information to law enforcement or immigration officers unless the request for information is accompanied by a court order or a warrant signed by a judge. HCLS' policies follow the guidelines established by the Maryland State Library Agency in accordance with HB1222, the Maryland Values Act.

**A. Maryland Public Library Patron Rights**

1. All community members have a right to equal access to Howard County Library System regardless of the immigration status of the person or their parent/guardian.
2. HCLS does not require information about citizenship or immigrant status for

community members to obtain a library card or use any of its services.

3. The confidentiality of information about HCLS community members is generally protected by State and federal laws, including: Gen. Prov. §4-320.1 and Educ. §23-108. The “personal information” protected by Gen. Prov. §4-320.1 does not include information regarding citizenship or immigration status.
4. All community member information and related records maintained by Howard County Library System shall remain confidential and shall not be disclosed to any person, entity, or governmental agency, except:
  - When being used by HCLS staff or officials for HCLS business
  - When requested by the community member to whom the record pertains
  - When requested by a designated borrower or parent/legal guardian of a child under the age of 13
  - When disclosure of the record is required by an order or warrant signed by a Judge of a state or federal court
5. Community members and their parents/guardians have the right to report a hate crime that occurs on HCLS property. Staff shall follow procedures for reporting the crime.

#### B. Nondiscriminatory Services & Protected Spaces

1. HCLS provides services to members of the community, regardless of their immigration or citizenship status.
2. All areas in the library are public spaces, except areas designated as private.
3. Private spaces are marked with clear signage.
4. Access to private spaces is limited to HCLS staff/ Staff must accompany any non-staff that enter spaces designated as private.

#### C. Immigration Enforcement

1. Howard County Library System does not consent to the conduct of civil immigration enforcement operations on its premises.
2. Any person seeking to enforce immigration laws may access public areas but may not enter private spaces except pursuant to a judicial warrant or in exigent circumstances.
3. Staff shall direct law enforcement or immigration officers to the Branch Manager (or Person in Charge) who will be the point of contact with the officer and in communication with the President & CEO or their designee for guidance.
4. The President & CEO or their designee may authorize access to confidential community member information or private spaces only if the officer (1) asserts that exigent circumstances exist; or (2) possesses a valid judicial warrant. To confirm the existence of a valid judicial warrant, the President & CEO or their designee shall:

- Obtain a copy of the document;
  - Confirm that the heading shows the document was issued by a court;
  - Confirm that a U.S. District Court Judge or Magistrate signed it;
  - Confirm that it lists Maryland public libraries among the places to be searched for a wanted person or evidence; and
  - Verify that the document is not expired.
5. Additionally, the Branch Manager (or Person in Charge) shall request and record on an incident report form the following information from the officers:
    - Name
    - Badge number or other official identifying information
    - Agency
    - Purpose of visit
    - Proposed action to be taken at the library
  6. The President & CEO or their designee will consult with the library's legal counsel about questions concerning a judicial warrant or the existence of exigent circumstances. If immigration officers deny the President & CEO or their designee the opportunity to consult counsel about such questions, the President & CEO or their designee shall instruct the point person to inform the law enforcement or immigration officers that HCLS does not consent to the agents' entry. Staff should not block or impede the officers' access.
  7. If immigration officers proceed into a private space without exigent circumstances or a judicial warrant, staff shall notify the President & CEO or their designee who shall notify counsel, state that the officers lack permission, but make no effort to resist or block the officers.
  8. The parent/guardian of a minor community member should be notified immediately if an immigration official or law enforcement officer requests or gains access to a minor community member for immigration enforcement purposes, unless such access was following a judicial warrant or subpoena that restricts the disclosure of the information to the parent.

## **VI. HCLS Building Use**

### **A. Liability**

1. HCLS will not assume responsibility for an individual's property brought into a branch or used on HCLS premises.
2. Any damages to HCLS premises, furniture, equipment, etc., caused by group or individual use will be paid for based upon present replacement costs, by said group or individual.
3. Organizations and their employees, agents, invitees, and members shall hold harmless HCLS and Howard County, Maryland, their officers, employees and agents from and against all liability arising from injury to persons or damage to personal property in or about HCLS premises.

B. HCLS is a limited public forum.

1. Staff workrooms and offices are nonpublic areas intended solely for staff use.
2. Rules to regulate behavior are applied without discrimination to all users and are intended to support the library's purpose.
3. Use of the Lobby. Use of the lobby in any branch for any activity or display, other than those of HCLS, Friends and Foundation of HCLS, or government agencies will not be granted except for limited use exceptions which may be granted to community organizations working in partnership with HCLS to offer free resources and support services. This is to ensure that there will be no interference with individuals' normal use of HCLS between the time they enter the building and the time they leave the building. Lobby spaces may not be used for fundraising, donations, petitioning, leafleting, and campaign activities.
4. Displays, Handouts, Exhibits and Bulletin Boards in Branches
  - As part of its mission, HCLS makes areas available in most branches for the following, which may require HCLS approval:
    - (1) displays;
    - (2) handouts;
    - (3) exhibit areas; and
    - (4) bulletin boards.
  - The use of these areas is intended to increase public awareness of the range of information in HCLS' collection and to make available information created by and of interest to the local community.
  - Displays and exhibits are allowed from non-profit associations, community groups, civic and other associations local to the area.
  - Commercial displays and exhibits are not allowed. HCLS may reject or remove any display or exhibit that has the potential to cause, or causes, substantial disruption.
  - Handout areas and community bulletin boards are identified as such and indicate that all materials for handout or display must be submitted for approval and that HCLS does not endorse content of the same. Unapproved materials will be removed without notification.
5. Meeting Room Use
  - HCLS meeting rooms are primarily intended to be used for meetings, classes, workshops, seminars, and events conducted and/or organized by staff members, the Board, and Friends and Foundation of HCLS.
  - Meeting rooms are also available for use by non-profit organizations,

community groups and local creatives (authors, artists, performers) for non-HCLS-related programs of a civic, cultural or educational nature. Non-profit organizations or groups authorized to use the meeting rooms will be primarily Howard County organizations or groups, or local chapters of state or national organizations. Meetings convened by these organizations or individual creators must be free of charge and open to the public. No one shall be excluded based on beliefs, points of view, or affiliations of the sponsors or participants.

- No for-profit organization may use these rooms, nor may they be used for social or commercial purposes. Individuals may not use the room for social gatherings or commercial purposes (other than sales of books or materials related to an author event or educational class.)
- Granting permission to use these rooms does not constitute HCLS endorsement of the users or their beliefs. All advertising must include a statement that the meeting is not an HCLS sponsored event.
- All meetings must be open to the public except those which are sponsored or co-sponsored by HCLS or Friends and Foundation of HCLS.
- Use of HCLS meeting rooms, and of tables, chairs and technology in the rooms, is free of charge, except as indicated below. Users are responsible for room set-up and break-down. Reasonable charges will be assessed if users cause damage to the room or its contents beyond normal wear and tear, or if they fail to break down the room.
- Because HCLS provides equal access to educational opportunities for everyone, all classes, seminars and events are free of charge. Admission fees may be charged only if the initiative is an HCLS or Friends and Foundation of HCLS fundraiser. All profits from events sponsored by Friends and Foundation of HCLS must be used to support HCLS' strategic milestones, mission and goals.
- When meeting rooms are not reserved, HCLS may open the space for uses consistent with activities in other public areas of the library.
- Other Pertinent Information

- (1) Non-alcoholic light refreshments may be served.
- (2) Attendance is limited to the posted maximum allowed by the Fire Marshal in each location.

Organizations and individuals reserving meeting rooms must request permission in advance to sell their creative works (e.g., books) to anyone in attendance who wishes to purchase the items. This money would be paid directly to the organization/individual. The organization/individual are responsible for management of all aspects of sales. HCLS is not responsible for inventory or management of cash, taxes, etc.

- (3) Equipment belonging to an organization or group may *not* be stored at

## HCLS between meetings.

### C. Use of HCLS Buildings

#### 1. General Information

- Weapons. In compliance with Md. Code, Crim. Law § 4-111, a person may not wear, carry, or transport a firearm into the library.
- Smoking. Per the Maryland Clean Indoor Air Act (CIAA), smoking and vaping are not allowed in any area inside an HCLS building.
- Drug Paraphernalia. In accordance with Howard County ordinance Sec. 8.300-8.307, the use, possession, display, offer for sale, sale, delivery, use, or advertisement of drug paraphernalia is prohibited other than that specifically authorized by State or Federal law.
- Alcohol. Alcoholic beverages may be served in the branches at HCLS or Friends-sponsored or co-sponsored events provided that non-alcoholic beverages are also served.
- Animals. Animals, except service animals and animals that are part of HCLS-sponsored classes and events, are not allowed in HCLS buildings. Under Maryland law, a service animal is defined as a guide dog, signal dog, or other animal individually trained to do work or perform tasks for the benefit of a person with a disability.
- Interpreters. HCLS provides ASL interpreters for classes and events upon request. Users are asked to notify HCLS at least 10 business days in advance to ensure interpreting service will be available.
- Unattended Children. The staff member in charge at each branch may call the police if children under the age of 8 are left unattended at any time.
- Suspected Child Abuse. If a staff member has any indication that a child has been abused or abandoned, that staff member shall refer the problem to the staff member in charge for a decision on whether a social service agency or the Police Department should be notified (MD Family Law Code §5-704).
- Libraries are limited public forums and are covered by the intellectual freedom policies of HCLS.

#### 2. Emergency Situations

- Emergency Response. In case of emergency, staff members should call 911, press designated panic buttons, and/or leave premises immediately.
- Inclement Weather. The President & CEO, or their designee, will determine when branches should open or close in advance of or during inclement weather. HCLS will make every effort to open to the public on time and remain open during regularly scheduled hours.
- Emergency Closings. Before closing a branch due to unforeseen circumstances

(e.g., power outages or HVAC breakdowns), branch staff members in charge will seek prior approval from a COO or the President & CEO. In extreme emergencies where time is of the essence, branch staff members in charge may evacuate a branch without prior consultation and will notify a COO as soon as possible after the fact to determine further actions.

3. Loitering - Refusal or failure to leave public building or grounds.

a. A person may not refuse or fail to leave a public building or grounds, or a specific part of a public building or grounds, if:

- (1) the surrounding circumstances would indicate to a reasonable person that the person who refuses or fails to leave has no apparent lawful business to pursue at the public building or grounds; and
- (2) a regularly employed staff member, guard, watchman, or other authorized employee of the government unit that owns, operates, or maintains the public building or grounds asks the person to leave.

b. Penalty - A person who violates this section could be found guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 6 months, a fine not exceeding \$1,000 or both.

Criminal Law §6-409, Annotated Code of Maryland

4. Filming and Photographing

- The following guidelines apply to any person(s) wishing to photograph, film, or otherwise record within the Library, including both professionals and amateurs (collectively referred to as "photographers"):
- The taking of photographs or videos or other recordings may not interfere with any individual's enjoyment and use of the Library and its facilities and services, may not create a safety or health risk for any person, and may not interfere with Library staff members' ability to perform their job duties.
- The taking of photographs or videos or other recordings also may not violate any other restriction set out in this policy or violate any other Library policy.
- All photographers must honor a request by any individual who does not wish to be photographed or recorded, including requests by parents, guardians, and caregivers not to photograph or record children or other persons under their care.
- All persons photographing or recording on Library premises are solely responsible for gaining all necessary releases and permissions from persons whom the photographer intends to photograph or record. The Library undertakes no responsibility for obtaining these releases or for any photographs or recordings taken without proper authorization.
- The Library welcomes members of credentialed news media outlets, including photographers, producers, and reporters who are doing stories or projects that directly involve the Library and/or its programs, but requests that all members of the media notify the President & CEO, Branch Manager, or the Director of Communications, either in advance or immediately upon arriving at the Library.
- The Library's name, logo, and/or likeness may not be used to project or suggest an express or implied partnership, sponsorship, affiliation, or any other type of

relationship between the Library and any individual photographer or any person, entity, organization, or cause with whom or with which the photographer may be affiliated or employed.

- The Library does not permit commercial photography or recording within the Library building, including but not limited to personal special celebrations (e.g., related to engagements, weddings, or other special occasions), or using the Library as a stage set for portraiture, model photography, product photography, or as a recording location for television or online advertising, regardless of whether the advertised goods or services relate to the Library.
- Photographers who violate this policy will be asked to stop photographing or recording and, if they refuse, may be asked to leave the Library.

5. Drones

Use of drones inside HCLS facilities is prohibited. Exterior use of drones must comply with FAA laws and regulations.

D. Use of HCLS Grounds

1. Library grounds are limited public forums for free speech activities under the First Amendment of the Constitution of the United States. Allowable activities include petitioning, leafleting, and campaign activities provided the activity does not create a dangerous condition, interfere with access and use of the library for its intended purposes, or damage property.
2. As a courtesy, individuals or groups wishing to engage in the above activities should notify the Branch Manager, or their designee, at least two weeks in advance. Such activities must take place outside HCLS buildings and be at least 20 feet from the front entrance.
3. Howard County Library System does not restrict, limit, reserve, or manage the use of its grounds by community groups, provided activities comply with applicable laws and library policies.
4. Individuals and groups shall not block, hinder, interfere, or otherwise impede individuals' access to or from Library buildings and shall not coerce, harass, or intimidate individuals into signing a petition or accepting leaflets.
5. Individuals and groups may not engage in activities that violate the Library's Code of Conduct. Violations may result in the suspension or revocation of the right to utilize library property.
6. Solicitation, advertising, promotion, vending, peddling, or product sampling on HCLS grounds is not allowed. HCLS prohibits all such activities on library property, as it may interfere with an individual's use or enjoyment of the library. HCLS occasionally receives requests from individuals to conduct or endorse fundraising events or to provide public space for donation collection boxes. HCLS does not sponsor nor endorse the fundraising activities of other organizations, although periodically branch libraries may cooperate with local community charitable groups or service clubs to support community endeavors.

## VII. Borrowers' Cards

A Howard County Library System card entitles people to borrow materials from any public library in the State of Maryland. Users must live, work, or go to school in Maryland. Users who register for library cards via the web must come to HCLS to show identification and receive their cards.

### A. Identification

1. In order to register for a library card, a person must apply in person and present one of the following forms of identification:
2.
  - Photo identification with current name and address. Photo identification is also necessary for individuals with other Maryland public library cards, or
  - Both photo identification and other identification with the person's name and address, such as imprinted checks, an envelope with a postmark, or an official document.
3. Teens who are age 13 and older can apply for their own library card if they have the required identification.
4. Children age 12 or under must be accompanied by a parent or legal guardian 18 years or older to apply for a library card. The parent or guardian must have the required identification.
5. If a person has the above identification, they may borrow a maximum of 120 items.
6. If a person does not have the above identification, a note is placed in their account requesting address verification at their next visit. In this case, they may borrow three items.
7. A person may have a personal library card and one or more special borrowers' cards. Borrowing privileges will be suspended on all cards when there is a \$25 or higher balance on any card.

### B. Special Borrowers' Cards and Collections

1. Designated Borrower. Anyone with a personal HCLS card may designate a person to borrow and return materials on their library card. The designated borrower will have access to the account holder's borrowing information. The designated borrower must show photo ID when borrowing materials.
2. Educators\* are eligible for a Howard County Library System A+ Educator library card as a special feature of A+ Partners in Education. The intent is to give teachers, faculty, and professors who are employed in Howard County public and private schools, including post-secondary institutions and preschools, special borrowing privileges for materials used in preparing lessons, courses, or assisting students with assignments. This card enables an educator to:
  - Borrow materials for six weeks (42 days);

- Borrow all materials, except fiction DVDs and materials from the DIY Education Center collection, video games, interlibrary loan items, STEM Activity Kits, and launchpads;
- Renew materials twice; and
- Be exempt from lost materials charges for items borrowed for the classroom.

The A+ Educator library card is subject to all other Howard County Library System lending policies.

\* Howard County homeschool parents/guardians are also eligible for the A+ Educator library card, so long as they provide: (1) proof of Howard County residency, and (2) proof that they are homeschooling in Howard County in compliance with Maryland State Board of Education regulations, COMAR 13A.10.01, which may be provided by either (a) an official copy of a current Assurance of Consent form filed with the Howard County Board of Education, or (b) proof of enrollment in a nonpublic entity registered with the Maryland State Department of Education to supervise home instruction in accordance with Maryland State Board of Education regulation COMAR 13A.10.01.

- Howard County Public School System (HCPSS) students in grades K-12 are eligible for the A+ Student Card, a special feature of the A+ Partners in Education initiative. Students are automatically registered through HCPSS beginning the first week of the school year, and parents have the choice to opt out of participation. Students enrolled in private schools or home instruction programs are not eligible.
  - HCPSS students may have both an A+ Student Card and a personal HCLS card. The A+ student Card provides the same borrowing privileges as a personal library card and is subject to all applicable HCLS policies.
- A three-month temporary borrower's card may be issued to any person living in temporary quarters or visiting the County. Library cardholders may have a maximum of 12 items out. Materials from the DIY Education Center collection and Art Education collection, STEM Activity Kits, and video games may not be borrowed. Replacement cost for lost items will be charged.
- HCLS Satellite Collections consist of pre-selected sets of materials available to any organization in Howard County that serves populations experiencing barriers to access (e.g. seniors or preschool children with no on-site library). The organization must sign an agreement which includes the following:
  - Borrow most materials for 42 days.
  - Borrow all materials, except materials from the DIY Education Center collection and Art Education collection.
  - A maximum of 100 items may be on loan to the organization at any one time.
  - Replacement cost for lost items will be charged.
- HCLS Community Collections consist of books and fiction DVDs for all ages in various genres and languages assembled to align with the interests of a particular population. Any organization in Howard County that serves individuals experiencing barriers in

accessing library resources is eligible to host a Community Collection.

- The host organization houses the collection such that it is easily accessible to its population.
- Collection size varies depending on available space. A maximum of 100 items may be on loan to the organization at any one time.

7. DIY Borrower's Card. A DIY Borrower's Card may be issued to any person 21 years or older to borrow items from the DIY Education Center collection, upon completion of the HCLS DIY Waiver Form. This card enables library users to:

- Borrow items from the DIY collection for one week;
- Borrow a maximum of 5 items; and
- Renew materials twice.

The DIY Borrower's Card is subject to all Howard County Library System lending policies.

DIY collection items may only be returned to the Elkridge Branch.

- C. Stolen or Lost HCLS Card. Library cardholders must notify HCLS to report that their HCLS card was lost or stolen. If this is done, the cardholder will not be held responsible for material borrowed after the date the card was reported lost or stolen.

### **VIII. Confidentiality-Privacy of Borrowers' Records**

- A. The Board recognizes the importance of protecting the rights of each and every individual using HCLS from improper disclosure or misuse of information pertaining to the records of materials used or borrowed by these individuals.
- B. The Board also recognizes the serious administrative burden imposed on the Board and staff should disclosure of borrower and circulation records be permitted except in legitimate cases where good cause is shown.
- C. HCLS avoids creating unnecessary records, avoids retaining records not needed for library business purposes, and does not engage in practices that might place personally identifiable information on public view.
- D. Information the library may gather and retain about current library cardholders includes the following:
1. Information required to register for a library card (e.g., name, address, telephone number, e-mail address, birth date)
  2. Records of material checked out, charges owed, payments made
  3. Requests for interlibrary loan or reference service
  4. Registration information for library classes and programs

- E. Personal information may be used in the following ways, but is not limited to:
1. Assist people with their accounts
  2. Maintain internal records
  3. Carry out obligations and enforce rights including those arising from any contracts entered into between cardholders and HCLS, including billing and payment. This includes, without limitation, sending notifications regarding cardholder accounts, such as holds, materials checked out, accounts about to expire, fees, and items overdue.
  4. Provide cardholders with email alerts, event registrations and other notices concerning our products or services, events, or news, that may be of interest to them
  5. Analyze library usage data to improve services
  6. Contact library users for research purposes to help improve services
  7. Resolve cases of violations of library rules and regulations

F. Consent

When applying for a library card or registering for a class or event, individuals agree to provide HCLS with personally identifiable information. The library will keep the information confidential and will not sell, license, or disclose personal information to any third party working under contract to the library, unless the library is required by law to do so.

- G. To further protect an individual's right to use the public library confidentially, the President & CEO is the custodian of all materials in and comprising Howard County Library System.

- H. State law protects library circulation records and personal information. According to § 23-108, Education Article, Annotated Code of Maryland, library circulation records can be inspected, used, or disclosed only: 1) if necessary for the reasonable operation of the library, 2) on written consent of the individual, or 3) by subpoena or court order.

- I. The President & CEO will inform staff members that any and all requests for any borrower and circulation records will not be honored without the approval of the Board. Requests for circulation records shall be referred immediately to the President & CEO, who, if the person requesting borrower and/or circulation records insists and has a process order or subpoena from a government agency or court of competent jurisdiction, shall refer the request to the Board. The Board Chair, with the advice of counsel, will instruct the President & CEO to comply only with the decision of a court of competent jurisdiction or pursuant to the provisions of the USA PATRIOT Act.

- J. The following procedure applies:

1. Except for individuals requesting information on their own account, any and all requests for any borrower and circulation records must be referred immediately to the President & CEO, who shall issue any regulations and take other steps deemed necessary to the fulfillment of the intent of this policy.
2. If the President & CEO is not available within a 72-hour time frame, a COO will be

the temporary custodian of the borrower and circulation record database.

3. Any staff member violating the confidentiality policies of HCLS will be considered for disciplinary action.
  4. If a subpoena from a government agency or court of competent jurisdiction is presented to the President & CEO, they in turn will notify the Board Chair or another officer of the Board if the Chair is unavailable.
  5. The Board Chair will request a court hearing before any information is released.
  6. EXCEPTION: If the circumstances regarding a State's Attorney subpoena or a court order or a request pursuant to the provisions of the USA PATRIOT Act reveals that the circulation record information is being requested for emergency reasons constituting good cause — namely, to protect the life and safety of a person or as part of a critical criminal investigation affecting or related to HCLS — the Board Chair, with the advice of counsel, may authorize the President & CEO to give limited release of circulation information, as circumstances warrant. This exception shall be strictly construed.
  7. Except as provided herein, information is released only if a court of competent jurisdiction instructs the President & CEO to do so by court order as determined by a judge.
- K. In accordance with Maryland state law (MD Code, GP §4-308; ED §23-108), staff will provide information about a borrower's account only to the person named on the account with three exceptions: 1, the parent or legal guardian of a child under the age of 13 may have access to their child's account information; 2, a designated borrower may have access to the account holder's borrowing information; and 3, subpoena or court order.

Borrower records are also excluded from disclosure under the Maryland Freedom of Information act (ST GOV §10-616e) unless otherwise provided by law.

L. Data Integrity and Security

HCLS takes reasonable steps to ensure data integrity, prevent corruption of data, and block unauthorized access to library systems.

The library has invested in appropriate technology to protect the security of personally identifiable information while it is in the library's custody.

The library ensures that aggregate, summary data is stripped of personally identifiable information.

The library regularly removes cookies, web browsing history, cached files, or other computer and Internet use records and other software code that is placed on the library's computers or networks. After each session ends, all session history and files are deleted so that a clean session is experienced.

M. Staff Access to Personal Data

HCLS staff may access personal data stored in the library's computer system only to perform their assigned library duties. Staff will not disclose any personal data collected from a user to any other party except where required by law. The library does not sell, lease, or give users' personal information to companies, governmental agencies, or individuals except as required by law or with the user's authorization.

N. Third Party Security

The library ensures that its contracts, licenses, and off-site computer service arrangements reflect its policies and legal obligation concerning user privacy and confidentiality. When connecting users to licensed databases and other electronic resources outside the library, the library releases only information that authenticates the user as a library card holder of Howard County Library System. Nevertheless, users must be aware, when accessing remote sites, that there are limits to the privacy protection the library can provide.

Some library users may choose to use electronic communication services from the library (hold and billing notices, program, and class announcements) via e-mail. These users must also be aware that the library has limited ability to protect the privacy of this information once it is outside the library's control.

The library also offers a wireless network that allows users to connect to the Internet. Users should be aware that data accessed and sent over the library's wireless network is not encrypted, as it is a free network.

O. Illegal Activity Prohibited and Not Protected

Library users may conduct only legal activity while using library resources and services. Nothing in this statement prevents the library from exercising its right to enforce Rules of Conduct, protect its facilities, networks, and equipment from harm, or prevent the use of library facilities and equipment for illegal purposes. The library has external access to its networks and cameras and reserves the right to access services when a violation of law or library policy is suspected.

P. How the Library Uses Data It Collects

When library users visit the website, the library collects and stores only information to measure the number of visitors to different areas of the site to guide in making the site more useful. The information collected includes:

1. The IP address of the user's computer or Internet provider
2. The data and time of access
3. The pages accessed and how the user navigated the site
4. The Internet address of the website that referred the user to the library's site
5. A record of all searches of the library catalog

Website data is separate from individual library account information. The library cannot look up user records to determine what areas of the website were visited. The data collected

is not connected to any personally identifiable information.

The library may use card holders' postal addresses or e-mail addresses to inform card holders of services and programs.

Q. Security Cameras

HCLS strives to offer a welcoming environment where people can use the Library's resources in comfort. Security cameras are in use at all branches to enhance the physical security of the library, its property, staff, and library users. The policy establishes guidelines for the placement and use of cameras and the access and retrieval of recorded images.

1. Security Camera Purpose and Placement Guidelines

- Security cameras are used in public places to document events involving the safety and security of library users, staff, and Library property. Cameras will not be installed in areas of the library where individuals have a reasonable expectation of privacy, such as restrooms, private offices, or staff breakrooms. Cameras will be placed in indoor and outdoor areas.
- Cameras will not be positioned to identify a person's reading, viewing, or listening activities in the library.
- Cameras are not installed for monitoring staff performance and will not be used for routine staff performance evaluations.
- Individuals should continue to take appropriate precautions for their safety and for the security of their personal property.
- Camera locations will not be changed without permission from the President & CEO.

2. Use and Disclosure of Video Records

- Digital records may be used to identify the person or persons responsible for Library policy violations, criminal activity, damage or destruction of Library property or actions disruptive to normal Library operations.
- Data from the cameras is recorded and stored. Recorded data is considered confidential and secure. Access to recorded data is limited to the following Library staff: the President & CEO and their designee(s). Authorized individuals may review recorded data to identify those responsible for suspected Library policy violations or criminal activity on Library property.
- Digital security records are not to be used to identify the activities of individual Library users except as viewed in relation to suspected criminal activity, suspected violation of the Library's policies, or incidents where there is a reasonable basis to believe a claim may be made against the Library for civil liability.

- The President & CEO or their designee may use a still shot or selected portions of recorded data to request law enforcement review of a specific individual or for investigating a crime on Library property.
- A copy of digital security data will be made available to law enforcement upon request and the approval of the President & CEO or their designee. Recorded data will be accorded to the level of confidentiality and protection provided to Library users by Maryland state law and the Library's policies.
- Images may be shared upon request with law enforcement for suspected criminal activity on Library property during a limited specified time period.
- Confidentiality and privacy issues prevent the Library from allowing the public to view security camera footage. If the Library receives a request from the general public to view recorded camera footage, the public will be advised to file a police report.
- Video images are stored digitally and retained for 30 days.
- In the event of a suspected crime or incident, still shots or selected portions of the recorded data will be maintained until resolution of the specific incident.
- Recordings shall not be used or disclosed other than as specifically authorized by this policy. Staff who misuse this data will be subject to disciplinary action.

## **IX. Maryland Public Library Borrowing Agreement**

Maryland public libraries believe in the spirit of collaboration in providing public service to the residents of Maryland. The following agreement is separate from the policies and procedures set forth in the Maryland Inter-Library Organization Agreement.

### **A. General Policies**

1. Maryland residents are eligible to use any Maryland public library system and borrow materials subject to the lending system's current policies and procedures. The intent of this principle is to enable residents to borrow materials on the day they come to the library.
2. Any Maryland public library system will use the barcode of the resident's existing library card, if possible, in order to register the resident into its database.
3. All Maryland public library systems will accept returned materials borrowed from other Maryland public libraries.
4. All Maryland public library systems will adhere to the Cooperative Borrowing Agreement.

### **B. Specific Principles**

1. The lending library will be responsible for sending overdue notices and securing the

return of overdue materials or payment for lost materials.

2. Any fines collected will be retained by the library accepting the materials in accordance with its own fine regulations.

## **X. Lending Policies**

### **A. Borrowing Limit**

The President & CEO may establish borrowing limits for materials both as to the number of items per visit, the maximum number of items, and the age to borrow items.

### **B. Loan Periods**

The President & CEO may establish loan periods appropriate to the collection item.

### **C. Renewals**

1. The President & CEO may establish the parameters for the renewal of materials.
2. Fines accrued at the renewal date will be added to cardholder accounts.

### **D. Returns.** The President & CEO may designate certain items that must be returned directly to HCLS. Other materials may be returned to any Maryland public library.

### **E. Bookdrop**

1. Bookdrops (located at each branch) are open 24 hours a day. They may be used to return library materials, except items from the DIY and Art Education collections, video games, launchpads, tote bags, musical instruments, Literacy Activity Kits, and STEM Activity Kits. Persons using bookdrops assume responsibility for damage to materials (unless #2 below applies).
2. If the bookdrop is jammed or full, or the items being returned will not fit, people are invited to return the materials to the branch if it is open, or they may take the materials with them and return them during their next visit.

### **F. Research Material**

1. In-house research materials may not be borrowed for any reason.
2. Staff members may take in-house research books out of the building for HCLS-supervised displays, exhibits, fairs, school visits, classes, and other events as long as the items are not out of branches for more than two business days.

### **G. Lending Policy for Interlibrary Loans**

1. Loan to Other Libraries:
  - Loan Period: 21 days; one renewal.
  - Overdue notices sent after 28 days.
  - Charge for replacing lost material: Replacement cost plus processing fee with a minimum charge of \$20.

- HCLS will loan books only.
  - HCLS will provide the first 10 pages of copying free for Interlibrary Loan Network requests.
  - Postage and loaning library charges must be borne by requester.
- H. Borrowing Policy for eMaterials
1. HCLS is a member of the Maryland State OverDrive Consortium (MSOC) and the SAILOR Consortium, a project of Maryland's public libraries that provides an extensive collection of research databases for the use of Maryland public library users. Some of HCLS' eBooks, eAudiobooks, and eMagazines are part of Maryland's Digital Library. MSOC establishes lending policies for OverDrive/Libby materials. Policies for the usage of SAILOR eMaterials are determined by the Maryland State Library Resource Center and are not subject to the approval of the HCLS Board of Trustees. Policies for all eResources outside of Maryland's Digital Library and the SAILOR consortium are negotiated by HCLS in partnership with vendors, subject to the approval of HCLS' President & CEO. eResource policies are based on contractual terms and are subject to change.

All HCLS Special Collection items, including musical instruments, Art collection items, and video games may only be returned to an HCLS Branch. DIY collection items may only be returned to the Elkridge Branch.

## **XI. Internet Use Policy**

- A. The Internet is an essential component of HCLS' commitment to equal opportunity in education.
- B. HCLS is an Internet access provider, providing access to Internet-based resources consistent with its mission with respect to print resources and audio/visual resources.
- C. HCLS acknowledges its obligation under Section 23-506.1 of the Education Article of the Annotated Code of Maryland to adopt and implement policies and procedures to prevent minors from obtaining access through the Internet or any other interactive computer service to materials that are obscene or constitute child pornography. Further, HCLS' Internet use policy prohibits the viewing of pornographic images. HCLS, however, is not, and cannot be responsible for what people may find when using Internet-based resources. As with print resources and audio/visual resources, the user must ultimately control their own access to the information available. In particular, parents and guardians must supervise their children's use of the Internet. Staff members will actively intervene if they observe any individual accessing materials that are obscene or constitute pornography. They will ask such individuals to exit any sites that are reasonably determined by staff members to display materials that are obscene or constitute pornography. If an individual refuses to exit such a site, staff members will take such action as is reasonably necessary, including requesting police presence, to assure HCLS' compliance with the aforesaid Section 23-506.1 and Board policy.
- D. Persons using HCLS' equipment may be asked by staff members to limit their time on equipment when another person is waiting to use HCLS equipment and none is available.
- E. Staff members will assist individuals in identifying the range of Internet-accessible resources to answer a research query.

- F. The President & CEO shall assure that effective procedures are in existence to implement the Internet Use Policy.

## **XII. Fines, Fees And Service Charges**

### **A. Borrower Cards**

Borrower cards, including replacement cards, are free.

### **B. Fines**

#### **1. General Information**

- Fines are charged for DIY and Art Education collections, STEM Activity Kits, sewing machines, and video games each day that HCLS is open.
- If HCLS, or the branch where the item(s) were borrowed, closes for all or part of a day, no fines will be charged for that day.

#### **2. Overdue Fines - Charge per day, per item**

- \$2 Materials from the DIY and Art Education collections, STEM Activity Kits, and sewing machines
- \$1 video games

#### **3. Maximum Fines - Charge per item**

- \$30 Materials from the DIY and Art Education collections, STEM Activity Kits, and sewing machines
- \$10 video games

#### **4. Fine Exceptions**

- Daily fines are only charged for specific special collections as noted herein
- The following persons are exempt from fines:
  - (1) Employees and members of their immediate household
  - (2) Current and past members of the Board
  - (3) Current volunteers who have accumulated 200 hours
  - (4) Retired employees with 10 or more years of full-time salaried service
  - (5) Senior Citizens (65 years or older)
  - (6) United States Active Duty Service Members and Military Veterans

### **C. Notification or Inter-Library Loan Request Fees**

1. Notices sent electronically or by USPS: no charge
2. Any charges from lending libraries for ILL materials will be passed on directly to library users.

- D. Material Returned to a U.S. Mail Box. Users will be charged for postage-due for materials returned to HCLS via U.S. mail.
- E. Lost or Damaged Materials
1. Replacement Costs. HCLS makes available attractive, undamaged and complete materials for use by all users. All users - even those exempt from fines - must pay for lost or damaged items. The staff member in charge may accept exact replacements<sup>1</sup> for lost or damaged books. When accepting replacements for all lost or damaged books, the user is still responsible for the processing and any appropriate packaging fees.
  2. Replacements are not accepted for lost or damaged materials from the DIY and Art Education collections.
    - Replacement costs include:
      - (1) The cost of an item (unless, in the case of books, a replacement is accepted).
      - (2) A \$25 processing fee for items from the Art Education collection and video games.
      - (3) A \$4 processing fee for DIY or other items in the collection.
      - (4) Any packaging costs.
    - Multi-part materials
      - (1) Multi-part materials must be returned intact, as indicated on the item, and in its catalog record. If these are returned incomplete, the user is responsible for the charges associated with the item in the catalog record.
      - (2) In the case of toys, this means that the user must pay to replace the set.
  3. Refunds. Refunds will be given if the material and the receipt are returned within three months of the receipt date. The processing fee, frame costs (if applicable), and the fine owed will be deducted from the replacement cost paid. Refunds will not be given for damaged material, even if the user repairs the material.
- F. Sale and Disposition of Materials. The President & CEO will implement the most cost-effective way to sell and/or dispose of donations and materials no longer needed for the collection.
- G. Photocopy Machines and Reader Printers
1. Black and white copies: \$.20 per page

1 Exact replacements means that the proposed replacement is the same title, ISBN, and format (e.g., paperback or hardcover) in good condition, and not a Book Club edition.

2. Color copies:
  - a. 8.5" x 11", \$.75 per page
  - b. 8.5" x 14" or larger, \$1 per page
3. Faxes: \$1.50 for first page and \$1 per page after
4. Scan: Free

H. Black and White Printing from Public Computers. Free

HCLS President and CEO has the ability to establish and/or change printing fees.

### **XIII. Abuses**

- A. Suspension of Borrowing Privileges. Cardholder borrowing privileges are suspended across any and all accounts if they have a \$25 or higher outstanding balance. *The suspension of borrowing privileges does not apply to the borrowing of eResources.* This is true for all age groups, including children.
- B. Stolen Materials. A cardholder, or the cardholder's insurance company, must pay for HCLS materials that are stolen from a cardholder.
- C. Mutilation or Theft of Materials. HCLS may bring any case of mutilation or theft of books or other HCLS materials to court if police and/or staff members identify the offender.
- D. Bank Returned Checks
  1. HCLS charges a \$35 returned check fee.
  2. Users' returned checks will be redeposited one time.
  3. Collection agency or Office of Law proceedings will be started the second time a user's check is returned.
- E. Delinquent Accounts
  1. A user's account will be sent to a collection agency or the Office of Law if they:
    - Have an account balance of over \$75 or
    - Owe \$40 or more in charges for material(s) borrowed from another library. The user's Interlibrary Loan borrowing privileges will be suspended at that time.
  2. HCLS will stop collection agency actions or legal proceedings if:
    - The account balance goes below \$75 or
    - The other library's material is returned or paid for, after which, the user's

Interlibrary Loan borrowing privileges will be reinstated.

- F. Recovery Costs. The user will be charged for all fees associated with any courses of action taken on their delinquent account.
- G. Habitually Delinquent Accounts
  - 1. If a user's account has been sent to a collection agency or the Office of Law three times in less than a three-year period, their library card will be revoked for five years.
  - 2. If a user's card is reinstated and their account is sent to a collection agency or the Office of Law again, the library card will be permanently revoked.
- H. Suspension of HCLS Privileges
  - 1. Users who break rules established by the Board may have their visiting privileges suspended at all HCLS branches.
  - 2. Branch managers and supervisors have the authority to implement one-day or multi-day suspensions.