

Marysville Public Library Policy Manual

The Marysville Public Library, city library for the municipality of Marysville, was organized and now operates under Kansas laws governing the operation of public libraries. The library is a member of the North Central Kansas Library System.

Adopted 1976

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Table of Contents

1. Mission Statement.....	3
2. Board of Directors.....	4
ARTICLE I: Board of Directors.....	4
ARTICLE II: Officers.....	5
ARTICLE III: Meetings	6
ARTICLE IV: Committees	7
ARTICLE V: Library Policies.....	7
ARTICLE VI: Library Director.....	7
ARTICLE VII: Repeal/Revision	8
3. Personnel	9
Standards of Conduct and Corrective Action	9
Qualifications and Duties of Employees	10
Benefits	16
4. Collection Development.....	24
Definition and Purpose Statement	24
Reconsideration of Library Materials	26
5. Technology.....	28
6. Circulation Policy.....	31
Library Cards	31
Material Check Out	32
Access to Records	32
Charges.....	33
7. Building Policy	35
Business Hours	35
Holiday Hours.....	35
Food and Drink Policy	35
Meeting Room	36
Phone Policy.....	37
Security Camera	37
Unattended Child and Patron Behavior Policies.....	38
8. Appendix.....	43

A. Library Bill of Rights	43
B. Freedom to Read Statement	44
C. Request for Reconsideration of Materials.....	47
D. Donated Materials Form	49
E. Display Case Request Form	50
F. Kansas State Statute 21-6401	51

1. Mission Statement

The mission of the Marysville Public Library is to create and maintain an environment in which the members of our community can comfortably and easily access resources which fill their cultural, educational, and recreational needs.

2. Board of Directors

ARTICLE I: Board of Directors

The Board of Directors is established pursuant to the provisions of K.S.A. 12-1225 and shall be called the Board of Directors of the Marysville Public Library, hereinafter referred to as the Board.

Section 1: Organization.

The Board shall consist of seven members appointed by the mayor of the City of Marysville. The mayor shall be an ex-officio member of the Board, but no other person holding any elected position with the municipality shall be appointed a board member while holding office with the city.

Section 2: Length of Terms.

Members of the Board shall hold office for a period of four years, ending April 30. No person who has been appointed for two four-year terms shall be eligible for further appointment until two years after the expiration of the second term. Board members appointed to fulfill an unexpired term may serve two full four-year terms following the partial term.

Section 3: Board Location Requirement.

All members appointed to the Library Board shall be residents of the municipality except one member; that member may reside within three miles of the extra territorial jurisdiction of the City of Marysville. Vacancies created by relocating outside of the municipality, resignation, or for any other reason shall be filled by suggestion by the Board, subject to approval of the mayor, for the unexpired term.

Section 4: Board Compensation.

Members of the Board shall not receive compensation for their services. However, mileage or other items like meeting fees, accrued during attendance of such meetings as necessary in carrying out their duties as board members, will be reimbursed as needed.

Section 5: Duties.

Board members and the Director should understand their respective functions, differentiating areas of joint responsibility from those in which the board members or the Director are solely responsible. When the Director independently changes or fails to follow established policy, or when the board engages in direct management, both are violating standards of sound administration.

The Board selects, appoints, and evaluates the Director, who serves as chief administrator with full professional responsibility for administering library policy, personnel selection and the development and administration of programs and services, and the selection of materials.

The Board carries full responsibility for the library and its policies; the board should initiate policy development where it perceives a need. The Board and the Director share the responsibility to study, plan, and develop library policies and to review them fully every three years. This shared responsibility should include study of changes in the science of librarianship and of legislation affecting the library at the local, state, and federal level.

The Board appoints a representative to the North Central Kansas Library System (NCKLS) board. The NCKLS board responsibilities include attendance to the annual meeting, usually held in August.

The Board approves the annual budget prior to being presented to the city council.

Section 5. Conflict of Interest.

The Board must, in general, avoid situations in which their personal interests conflict with the needs of the Library. This extends particularly to decisions involving financial transactions entered into by the Library. Each year, Board members are asked to review and sign the Statement of Ethics for Board members and the Conflict of Interest Statement, available from the Director. These policies are intended to guide each Board member's decisions on behalf of the Library.

Section 6. Loyalty Oath or Affirmation.

Board members, upon acceptance of board duties, will swear an oath of loyalty or affirmation of loyalty each year at the beginning of their term, pursuant to K.S.A 75-4308 and K.S.A. 54-106.

ARTICLE II: Officers

Section 1. Number of Officers.

The Officers of the Board shall consist of the President, Vice-President, Secretary, and Treasurer.

Section 2. Election of Officers.

Election of officers shall be held at the regular April meeting; ballot or acclamation by the Board will serve as determination of the election.

Section 3. Term of Office.

Officers shall hold their offices beginning May 1 until the following April 30 or until their successors are elected and take office. The regular May meeting will serve as their first meeting as an officer.

Section 4. Number of Terms of Office.

A Board member shall not be eligible to serve as an officer for more than four consecutive years in the same office.

Section 5. Duties.

- President. The President shall preside at all Board meetings, call special Board meetings, appoint members to the Board's special committees upon approval, and serve as an ex-officio member of all committees.
- Vice-President. The Vice-President shall perform all the duties of the President in the event of a vacancy in the office of President or the President's absence.
- Secretary. The secretary shall be responsible for the minutes and attendance of all Board meetings and record official actions of the Board.
- Treasurer. The treasurer shall provide itemized financial reports to the Board of all money received and disbursed.

Section 6. Vacancies.

If a vacancy occurs in the office of the President, the Vice-President shall assume the office of the President. The Board shall elect a new Vice-President at its next regular meeting following the occurrence of the vacancy. A vacancy occurring in any other office shall be filled for the unexpired term by a Board Member elected at a regular or special Board meeting.

Section 7. Removal.

An officer may be removed from the office, for good cause and due process, by a majority vote of the Board members.

ARTICLE III: Meetings

Section 1. Regular Meetings.

The regular meetings shall be held monthly meetings January through October on the fourth Wednesday at 5:00 pm. The November-December meeting will be the second Wednesday of November at 5:00 pm. Unless waived, a notice of each regular meeting shall be provided electronically or mailed to each Board member not less than three days prior to each meeting date.

Section 2. Special Meetings.

Special Meetings may be called at any time by the President or at the request of a majority of the Board members. Unless waived, a written notice stating time, place, and purpose for which the special meeting is being called shall be given to each Board member at least two days in advance of such meeting, and no business other than that stated in the notice shall be transacted.

Section 4. Quorum; Regular and Special Meetings.

Five Board members shall constitute a quorum for the transaction of business at Board meetings. In the absence of the President and the Vice-President, if a quorum of Board members is present, such Board members shall elect a temporary President for purposes of conducting the meeting. If a quorum is not present, no action may be taken.

Section 5. Robert's Rules of Order.

The rules contained in the latest revised edition of Robert's Rules of Order shall govern the parliamentary procedure of all meetings of the Board and its committees.

Section 6. Kansas Open Meetings Act.

The Board members shall comply with the provisions of the Kansas Open Meetings Act.

Section 7. Absences.

Because of the necessity of obtaining a quorum in order to conduct business, Board members are expected to attend all meetings unless prevented from doing so by a valid reason. Board members who cannot attend a meeting shall notify the Library Director or the President as soon as feasible.

Section 8. Phone Participation.

Board members may participate via phone if necessary no more than three times during any twelve consecutive months. The Board secretary shall monitor the usage of phone participation.

ARTICLE IV: Committees

Section 1. Board Committees.

It shall be the duty of the President to appoint the following committees from among the Board on an as needed basis at the regular May meeting. Committees shall consist of two members each.

- Finance
- Building
- Personnel

Section 2. Notice of Meetings.

Written or verbal notice stating the time, place, and purpose for a committee meeting shall be given to each committee member at least 24 hours in advance of such meeting. Notice also shall be given to the Board President.

Section 3. Action.

Unless otherwise provided by action of the Board, committees have only advisory powers.

Section 4. Vacancies.

The President may fill any vacancy on a committee with the approval of the Board.

ARTICLE V: Library Policies

The Board shall establish Library policies, in accordance with the provisions of K.S.A. 12-1225.

ARTICLE VI: Library Director

The Board shall select and employ a Library Director who shall:

- serve as the administrative officer of the Library under the direction and review of the Board;
- be responsible for the employment and direction of the Library staff, in accordance with the adopted policies of the Board;
- be subject to all limitations and conditions imposed by the Board pursuant to policy, directive, and budgetary provisions or otherwise;
- attend all regular and special meetings of the Board unless excused by the President;
- serve as the primary representative of the Library to the community; and
- serve as an ex officio member of all Board committees except the Nominating Committee, without the right to make or second motions or vote.

ARTICLE VII: Repeal/Revision

These bylaws may be repealed or revised at any regular or special meeting of the Board provided written notice of the proposed changes be provided to the Board members at least five days prior to the meeting. Any action to repeal or revise these bylaws shall be effective immediately, unless otherwise provided.

Policy updated 3/28/2024 and 1/24/2024.

3. Personnel

Staff appointments are made by the administrative librarian in accordance with the approval of the board. Appointment of the Administrative Librarian is made by the Library Board.

The Marysville Public Library Policies and Procedures Manual must be read and agreed to by signature by all employees and volunteers prior to beginning work.

Probationary Period

Each new employee is hired under a six-month probationary period. A review of the employee's work performance will be made during the probationary period as well as at the end of it, and this review will be discussed with the employee.

Terms of Employment following Probationary Period

All employees are "at will" and may be terminated at will of employee or employer with or without cause. Please see the Disciplinary Policy in the Appendix.

City policy is followed for health insurance and KPERS retirement plans.

Background Checks

Every new employee will have a background check cleared before employment begins.

Resignations

Resignations are submitted in writing to the Board. A one-month notice is requested for the Director and two weeks for other employees. If an employee fails to report to work for three consecutive days without proper notification it will be considered a resignation.

Dismissals

Dismissals are made by the Director and the Library Board. The advice and counsel of a legal representative of the board shall be obtained when advisable.

Standards of Conduct and Corrective Action

The image of the Library is conveyed through the attitudes, appearance, conduct, and working relationships of the staff. Each staff member must act as an ambassador to the public at large, demonstrating exemplary public relations. Employees of the Library are also expected to be courteous, cooperative, and communicative when working with fellow employees. Should problems arise, it is the responsibility of each individual to make every effort to solve the problem through open, positive, job-related communications with the person or persons involved in the situation. If necessary, the immediate supervisor or director will become involved in finding solutions to the problem. The director maintains an open door to employee concerns. Should the director be unable to resolve these concerns, they will be referred to the Library Board of Trustees.

The Marysville Public Library's Code of Professionalism is the backbone of goodwill and the first reference for issues in the library. It is as follows.

- Treating everyone with respect and dignity - not only supervisors and fellow employees, but all patrons and anyone else encountered at the library.
- Acknowledgement - greeting each other and patrons with a smile even when not feeling like it - acknowledging a "job well done" or "good idea," etc. to fellow employees.
- Good judgment in any situation.
- Ability to take suggestions or criticism without getting upset and to learn from the situation.
- Being approachable - have an open mind and listening ear.
- Assisting others, staff or patrons, without waiting to be asked.
- Gracefully accepting human shortcomings.

If a violation occurs, one or more of the following forms of corrective action may happen.

- (a) *Verbal Warning.* A verbal warning is an oral reprimand given to an employee by the director. A record of the warning shall be recorded in the employee's file.
- (b) *Reprimand.* A reprimand is a written censure to an employee by the director, a copy of which shall be recorded in the employee's file.
- (c) *Training.* Training is a trial period of a specific length of time during which an employee is required to fulfill a set of conditions, to improve work performance, or to improve on the job behavior. Failure to meet the training requirements may result in additional disciplinary actions, up to and including termination.
- (d) *Termination.* Termination is the removal of an employee from employment with the Library.

Any disciplinary action does not alter the employment-at-will relationship between the employee and the Library. The Library does not follow a sequential progression of corrective actions and may select the disciplinary action it deems appropriate for the violation in question.

Qualifications and Duties of Employees

Director

a) Qualifications

- A degree in library science from a library school accredited by the American Library Association and/or equivalent library experience.
- An understanding of library objectives, organization, functions, and administration.
- A desire to keep the library moving in a forward motion keeping with the trends.

- Ability to use computer technology.
- Acquaintance with the content and use of information and bibliographic tools.
- Understanding of materials, library users, and the means by which they are brought together effectively.
- Ability to analyze problems, adapts ideas to the local situation, or formulates original and creative solutions for problems.
- Willingness to keep abreast of new library trends through participation in professional organizations and workshops for continuing education.
- Willingness to participate in community organizations and on committees that keep the library an active member of the community as a whole.

b) Duties

- Manage the library, carrying into effect the policies as determined by the Library Board.
- Insure timely orders for books and supplies in the name of the Marysville Public Library.
- Oversee classification, cataloging, and arrangement of materials.
- Conduct regular evaluations and meetings of staff and volunteers with the appropriate documentation.
- Keep exact account of all money received from tax monies, fines, gifts and other sources; itemize expenses; report to the Board at the regular monthly meetings. Deposit all money in the name of the Marysville Public Library in a Marysville financial institution.
- Prepare an annual report showing fully the operations of the library in accord with the annual report required by the governing body of the municipality and the Kansas State Library.
- Select, with Board approval, train, and supervise non-exempt personnel and volunteers.
- Attend Library Board meetings except during specific discussion of the library director's position.
- Make recommendations to the board as to new policies, procedures, and services that will improve the library.
- Represent the library by actively participating in civic functions.
- Other duties as may be prescribed by the Board of Directors.

c) Hours of work

- The Library Director will serve a minimum of forty hours per week.

Assistant Director

a) Qualifications

- Bachelor's degree from an accredited university or comparable experience.
- Must be comfortable with current technology.
- Customer/patron service experience required.
- Intermediate computer skills.
- Ability to work independently with accuracy and attention to detail.

- Willingness to adhere to the philosophy of librarianship as stated in the Library Bill of Rights.
- Must establish and maintain effective working relationships with co-workers and adhere to the library's Code of Professionalism.

b) Duties

- Manage the library in the absence of the library director.
- Have a current and complete working knowledge of the library's automation system.
- Help patrons to meet all their information needs through an understanding of digital and print information sources available.
- Keep library materials in good order and repair.
- Maintain the privacy of patron records and needs.
- Attend in-service workshops, meetings, and conferences as requested.
- Other duties as assigned by the library director.

c) Hours of work

- Determined by the Board.

Library Assistant

a) Qualifications

- Bachelor's degree from an accredited university or comparable experience.
- Must be comfortable with current technology.
- Customer/patron service experience required.
- Intermediate computer skills.
- Ability to work independently with accuracy and attention to detail.
- Willingness to adhere to the philosophy of librarianship as stated in the Library Bill of Rights.
- Must establish and maintain effective working relationships with co-workers and adhere to the library's Code of Professionalism.

b) Duties

- Manage the library when in charge.
- Have a current and complete working knowledge of the library's automation system.
- Help patrons to meet all their information needs through an understanding of digital and print information sources available.
- Keep library materials in good order and repair.
- Maintain the privacy of patron records and needs.
- Attend in-service workshops, meetings, and conferences as requested.
- Other duties as assigned by the library director.

c) Hours of work

- Determined by the Board.

Library Aide (Qualified for KPERS)

a) Qualifications

- High school diploma or equivalent.

- Intermediate computer skills.
- Customer/patron service experience required.
- Willingness to learn and adhere to the philosophy of librarianship as stated in the Library Bill of Rights.
- Must establish and maintain effective working relationships with co-workers and adhere to the library's Code of Professionalism.

b) Duties

- Work at the circulation desk and understand the functions of the library's automation system.
- Help patrons to meet all their information needs through an understanding of digital and print information sources available.
- Maintain the privacy of patron records and needs.
- Other duties as assigned by the library director.

c) Hours of Work and Benefits

- Must work between 20 and 29 hours a week.
- Eligible for KPERS.

Library Aide (Not Qualified for KPERS)

d) Qualifications

- High school diploma or equivalent.
- Intermediate computer skills.
- Customer/patron service experience required.
- Willingness to learn and adhere to the philosophy of librarianship as stated in the Library Bill of Rights.
- Must establish and maintain effective working relationships with co-workers and adhere to the library's Code of Professionalism.

e) Duties

- Work at the circulation desk and understand the functions of the library's automation system.
- Help patrons to meet all their information needs through an understanding of digital and print information sources available.
- Maintain the privacy of patron records and needs.
- Other duties as assigned by the library director.

f) Hours of Work and Benefits

- Must work below 20 hours a week; otherwise, determined by the Board.
- Not eligible for KPERS.

Clerk

1) Qualifications

- Ability to work with technology.
- Be at least 14 years of age.
- Desire to serve the public.
- Ability to understand and use the library classification system and catalog.
- Willingness to learn and adhere to the Library Bill of Rights.

2) Duties

- Work at the circulation desk and understand the function of circulation.
- Duties as assigned by support staff and library director.

3) Hours of Work

- Determined by the Board.

Custodian

a) Qualifications

- Willingness to work and follow directions.

b) Duties

- Cleaning duties as outlined by the library director.

Volunteers

a) Qualifications

- Willingness to serve the library and the public.
- Willingness to maintain the privacy of patron records and needs.
- Ability to work with new technologies.

b) Duties

- Outlined and under supervision of the administrative librarian and support staff.
- Understanding there is to be no financial reimbursement for time served in this capacity.

c) Hours of Work

- Determined by the library director.

Salaries

Salaries of all paid employees are to be determined by the Library Board.

Library Director Spending Limit

The library director shall get board approval before major purchases not normally covered by the operating budget.

Hours of Work

It is the policy of the library to establish the time and duration of working hours as required by workload and customer service needs and applicable law.

1. The normal workweek is Sunday through Saturday, beginning and ending at midnight on Saturday and consisting of 40 hours.
2. Employees are required to work the number of hours per day and the number of days per week as designated. Hours may vary from week to week.
3. The library director determines the schedule of hours for employees. Meal breaks are unpaid.
4. Non-exempt employees are not permitted to work overtime at the library or elsewhere (including home) beyond regularly scheduled hours without the

director's prior approval. Non-exempt employees who perform unauthorized overtime work are subject to discipline.

5. Employees may not work as volunteers for the library.
6. Flexible time (flex time) will be the primary means in which the library complies with the Fair Labor Standards Act (FLSA) for non-exempt employees who are scheduled to work over 40 hours in a seven-day work period. The amount of hours that would be over 40 hours will be taken out of the regularly scheduled hours for that week.
7. If any hours must be worked past the 40 hours in a seven-day work period and flex time cannot be taken, compensatory time (comp time) can be scheduled for the next week as long as it is in the same pay period. The comp time rate is one-and-a-half times off for time worked over 40 hours. Hours worked for computing compensatory time is based on actual work time, and does not include time not actually worked such as paid leave or holiday pay. The director must authorize all compensatory time in advance.
8. At its discretion, the library director may authorize overtime pay as deemed warranted. The director or assistant director must authorize in advance all overtime pay.
9. Employee attendance at lectures, meetings, and training programs will be considered hours of compensable work if attendance is requested or required by management.
10. Supervisors, at their discretion, may allow non-exempt employees to make up lost time during a given workweek. However, make up may not be allowed if the lost time is the result of conditions the employee could control, if there is no work the employee is qualified to do, or if adequate supervision is not available.
11. Non-exempt employees are required to take scheduled unpaid meal breaks and are prohibited from performing any work during those breaks.
12. All employees are required to complete an individual time record showing the daily hours worked and leave used. Time records cover one pay period and should be completed each workday.
 - a. Employee time records should be completed daily. Unworked time for which an employee is entitled to be paid (paid absences, paid holidays, or paid vacation leave) should be entered on the time record.
 - b. Unapproved absences should not be considered as hours worked for pay purposes. The director should inform employees if they will not be paid for certain hours of absence.
 - c. Falsifying any time record is prohibited and may be grounds for disciplinary action, up to and including discharge.
 - d. Time sheets should be submitted to designated person on the last working day of each pay period.

Benefits

Paid Holidays

The library will be closed on the following days: Christmas, Thanksgiving and the Friday following, Memorial Day, Labor Day, Independence Day, New Year's Day, Veterans Day, Dr. Martin Luther King Jr. Day, and Presidents' Day. Any employee regularly scheduled to work 30 or more hours a week will receive holiday pay.

If the holiday falls on a day the library is not open, the board will determine the library closure.

Annual Leave

Accumulated annual leave may be taken after six months of employment. Unused annual leave is payable at termination of employment up to a total of two hundred forty hours (30 days). Unearned annual leave cannot be taken in advance. Leave should be scheduled and approved by Director at least two weeks in advance. Holidays during annual leave will not be counted as leave days. Employees may not waive leave in exchange for pay.

Earned annual leave is allocated on employee's anniversary date. If employee is on leave without pay status, it will be allocated upon reinstatement of paid status; exceptions can be made with board approval.

Annual leave is granted only to full-time employees working 30 hours or more per week. Leave is not granted to contracted or part-time employees. Full-time employees can bank leave hours to a maximum of two hundred forty hours (30 days). Any days over the maximum will be lost on the employee's anniversary date of employment each year.

- After six months of service, accrued leave will be 40 hours (5 days).
- After one year of service, accrued leave will be 40 hours (5 days).
- After two years of service, accrued leave will be 80 hours 2 weeks (10 days).
- After five years of service, accrued leave will be 92 hours (11.5 days).
- After ten years of service, accrued leave will be 120 hours (15 days).
- After 15 years of service, accrued leave will be 144 hours (18 days).
- After 20 years of service, accrued leave will be 160 hours (20 days).

Sick Leave

Sick leave is granted only to full-time employees. Accumulated sick leave may be taken after six months of employment. Unused sick leave is not payable at termination of employment. Employees may bank sick leave up to a maximum of 240 hours (30 days). Any hours over the maximum will be lost on the employee's anniversary date of employment each year.

Earned sick leave is allocated on employee's anniversary date. If employee is on leave without pay at that time, leave will be allocated upon reinstatement of paid status.

- After 6 months of service, accrued leave will be 40 hours (5 days).
- After one year of service, accrued leave will be 40 hours (5 days).
- After two years of service, accrued leave will be 80 hours (10 days).

Sick leave may be used for employee's personal sickness and for illness of members of immediate family (spouse, parent, child, grandchild, grandparent, or other people who permanently resides in the home of the employee). Sick leave may also be used for doctor's exams, dental exams, or maternity leave. Sick leave may be used in hourly increments. Sick leave may not be used in advance of being earned. The library director must be notified before a scheduled work shift if sick leave is required. Physicians note may be required after three consecutive days of sick leave.

If all sick leave has been used, employees must use annual leave previously earned. If an employee is still unable to work, they may be able to take an unpaid leave of absence subject to director and/or board approval.

Maternity Leave

With the director's approval, an employee may use sick leave or annual leave for the birth or adoption of a child. If no sick or annual leave is available, the employee may request up to 12 weeks of unpaid job-protected leave per year, with continued health insurance coverage, if eligible under the terms of the Family and Medical Leave Act of 1993.

To be eligible, an employee must be employed at the library for at least 12 months prior to the leave and have worked at least 1250 hours during the past 12 months.

If both parents are employed at the library, they shall not receive more than 12 weeks unpaid leave between them.

Leave Without Pay

With approval of the Library director, an employee may be granted a leave of absence without pay for up to three months. Such leave will be granted only when it is in the best interest of the library and when it will not cause undue or unnecessary imbalances. Leave without pay shall be granted for illness, temporary disability of the employee, or other sufficient reason, upon written request of the employee. Vacation and sick leave shall not be accrued during unpaid leave; exceptions can be made with board approval. Upon expiration of leave without pay, the employee shall return to work in the same or equal position held at the time the leave was granted. Failure without good cause to report promptly when the leave has expired shall be considered as a resignation. During the employee's absence, the position may be temporarily filled.

Transfer of Leave

Full-time employees may choose to transfer sick or vacation leave to other employees

with board approval. Leave will be transferred in hours and will be used at the recipient's pay scale.

Funeral Leave

In the case of the death in the family of a staff member (spouse, parent, child, grandchild, grandparent, in-law, or person who resides permanently in the home of the employee) a full-time employee may be granted a leave of absence, with pay, not to exceed three days. A leave of absence, with pay, for a period not to exceed one day, may be taken to allow a full-time employee to attend funeral services of other family members not listed above. Brief absences to attend funerals of friends will be given at the discretion of the Library director. At the discretion of the library director non full-time employees may be granted time off without pay to attend funerals of family or friends. Arrangements with the library director may be made for the time to be made up.

Library Credit Card

All full time employees will be given a library credit card for library purchases. Supporting documentation must be provided for all purchases. If for unforeseen circumstances an employee uses the card for personal use, they must reimburse the library or the amount will be deducted from the employees' paycheck.

Health Insurance

Health insurance shall be offered to employees scheduled to work over 30 hours per week.

Kansas Public Employees Retirement System

Eligible Marysville Public Library Employees shall participate in KPERs. Staff is eligible at 20 hours or more per week. The library and employees shall make contributions as required by KPERs. Temporary employees shall be excluded

Disputes

When disputes occur between the Librarian and a staff member, a hearing before the personnel committee should be allowed, and the disagreement be arbitrated to the best interest of the library.

No library is better than its staff. It is the duty of every library employee to give the best service possible to the community. The Librarian of a small public library in giving the best possible library service sets the keynote for the library in the community and a pattern for others on the staff to follow.

Mileage Reimbursement

Library Staff board members and NCKLS representative shall be reimbursed at the same rate as the published IRS rate.

Jury Duty

Should a staff member be summoned for Jury Duty in a State Court, all full and part time staff will be paid for regularly scheduled work hours. Should the summons include Federal Court, the board will have the final decision in regards to pay.

Family Medical Leave Act Policy

The library will comply with the Family Medical Leave Act (FMLA) regulations. This policy is augmented by the information in the mandatory FMLA Notice required by the U.S. Department of Labor (DOL) on Employee Rights and Responsibilities under the Family and Medical Leave Act posted in the Marysville Public Library and a copy is filed along with this policy.

The function of this policy is to provide employees with a **general** description of their FMLA rights. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law.

Amount of Leave: An eligible employee can take up to 12 weeks for FMLA circumstances during any 12-month period. The library will measure the 12-month period as a **rolling 12-month period measured backward** from the date an employee uses FMLA leave. Each time an employee takes leave, the library will compute the amount of leave the employee has taken under this policy in the last 12 months and subtract it from the 12 weeks of available leave, and the balance remaining is the amount the employee is entitled to take at that time.

Military Family Leave: The Family Medical Leave Act includes entitlements that permits qualifying exigency leave for families of members of the National Guard or Reserves or of a regular component of the Armed Forces when the covered military member is on covered active duty or called to covered active duty and military caregiver leave (also known as covered service member leave) to care for an injured or ill service member or veteran.

For military caregiver leave, the library will measure the 12-month period as a rolling 12-month period measured forward. FMLA leave already taken for other FMLA circumstances will be deducted from the total of 26 weeks available.

Use of Paid and Unpaid Leave: An employee who is taking FMLA leave because of the employee's own serious health condition, serious health condition of a family member or military leave **must use all paid vacation, personal or sick leave prior to being eligible for unpaid leave or leave without pay.** Sick leave will be run concurrently with FMLA leave if the reason for the FMLA leave is covered by the established sick leave policy. All paid leave will run concurrently with FMLA leave. Vacation, sick and any other accrued leave will not accrue during unpaid leave.

Disability leave for an employee's serious health condition, including workers' compensation leave (to the extent that it qualifies), will be designated as FMLA leave and will run concurrently with FMLA.

Requesting FMLA Leave: All employees requesting FMLA leave must provide verbal or written notice of the need for the leave to the library director. Within five business days after the employee has provided this notice, the director will provide the employee a notice of eligibility and rights under FMLA.

Certification: The library will require certification for the use of FMLA leave. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. The library may require recertification to the extent allowed by law.

Designation of FMLA Leave: Within five business days after the employee has submitted the appropriate certification form the director will complete and provide the employee with a written response to the employee's request for FMLA leave.

Recertification and Intent to Return to Work from FMLA Leave: On a basis that does not discriminate against employees on FMLA leave, the library may require an employee on FMLA leave to report periodically on the employee's status and intent to return to work.

Workers Compensation and FMLA: Employees may not use paid leave if they are receiving compensation under the library's disability or workers' compensation insurance programs.

(U.S. Department of Labor Poster)

EMPLOYEE RIGHTS AND RESPONSIBILITIES UNDER THE FAMILY AND MEDICAL LEAVE ACT

Basic Leave Entitlement

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- for incapacity due to pregnancy, prenatal medical care or child birth;
- to care for the employee's child after birth, or placement for adoption or foster care;
- to care for the employee's spouse, son, daughter or parent, who has a serious health condition; or
- for a serious health condition that makes the employee unable to perform the employee's job.

Military Family Leave Entitlements

Eligible employees whose spouse, son, daughter or parent is on covered active duty or call to covered active duty status may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings. FMLA also includes a special leave entitlement that permits

eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is:

(1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness*; or (2) a veteran who was discharged or released under conditions other than is honorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.*

***The FMLA definitions of “serious injury or illness” for current service members and veterans are distinct from the FMLA definition of “serious health condition”.**

Benefits and Protections

During FMLA leave, the employer must maintain the employee’s health coverage under any “group health plan” on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms. Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee’s leave.

Eligibility Requirements

Employees are eligible if they have worked for a covered employer for at least 12 months, have 1,250 hours of service in the previous 12 months*, and if at least 50 employees are employed by the employer within 75 miles.

***Special hours of service eligibility requirements apply to airline flight crew employees.**

Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee’s job, or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer’s operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Substitution of Paid Leave for Unpaid Leave

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

Employee Responsibilities

Employees must provide 30 days' advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days' notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

Employer Responsibilities

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility. Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

- interfere with, restrain, or deny the exercise of any right provided under FMLA; and
- discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice. Regulation 29 C.F.R. § 825.300(a) may require additional disclosures.

For additional information:

1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627

WWW.WAGEHOUR.DOL.GOV

U.S. Department of Labor Wage and Hour Division

WHD Publication 1420 · Revised February 2013

Policy updated 3/25/2015, 7/27/2022, 8/24/2022, 9/28/2022, 11/9/2022, 1/25/2023, 2/28/2024.

4. Collection Development

Definition and Purpose Statement

Collection development includes the process of adding and withdrawing materials from the library's collection, including print, audio visual, electronic, and subscription formats in order to fulfill the service roles of the library. The library may belong to a cooperative e-resource consortium which performs its own collection development without the input of this library.

The collection development policy is designed to guide selectors in developing the collection and in allocating resources to meet the needs of the Marysville and surrounding communities, as well as to explain collection-building principles and processes to staff and to the public. This plan outlines the responsibilities of persons involved in selection, explains special circumstances, and provides guidelines for development.

The library subscribes to both the Library Bill of Rights and the Freedom to Read Statements (Appendices A&B).

The library does not act in place of a parent (in loco parentis), and parents or guardians are responsible for making sure that their own children find materials that align with their personal values. It is the job of the library only to provide materials for patrons and their children to choose from. Displays and booklists are merely suggestions of new or pertinent content. Ultimately, it is the job of the parents or guardians to help their children decide what is appropriate, and the library does not infringe upon that right.

Objectives

1. To provide a broadly-based and diverse collection that supports the library as a popular materials center, a reference center, and an independent learning center.
2. To provide materials that meet the patrons' interest and needs in a timely manner.
3. To provide a balance of viewpoints on all subjects in its collections
4. To weed worn, obsolete, and dated materials from the collection on a regular basis.
5. To use current technologies as available and affordable to enhance the collection and delivery of services.

Materials Selection Policy

The selection of materials for the Marysville Public Library shall best meet the needs and interests of the community as space and funds allow. Materials are purchased to inform, educate, entertain, and enrich library patrons. Information not included in the collection may be accessed through the Internet and Inter-Library Loan. New formats will be considered for the collection when a significant portion of the community has the necessary technology to make use of the format and as funds allow. The selection of

any title does not constitute endorsement of its contents. The library strives to provide a wide range of resources.

Responsibility for Selection

The principle responsibility for selection of materials rests with the Director who shall operate within the framework of policies determined by the Library Board and set forth in this document.

Selection Criteria

1. Materials are selected based on reviews in professional journals, popular magazines, newspapers, subject bibliographies, recommended lists, publishers' catalogs, media interviews, internet sites, and customer requests. Other selection factors include collection needs, public demand, community interest, cost, space, and format.
2. Variety and balance of opinion are sought in selection decisions.
3. Currency of information, authority, scope, and objectivity are considered in the selection of nonfiction materials.
4. Electronic resources are evaluated using above criteria in addition to system compatibility, ease of connection, and available licensing.
5. Magazines are purchased with the range of interest of the community and to compliment the book collection. Newspapers are acquired as interest and funding allow.
6. Videos are purchased with consideration to interest levels and subject category.
7. Patrons may request materials not selected for purchase through Inter-Library Loan.

Material Formats

Materials are purchased in the format deemed most appropriate according to selection policy. Books are purchased in hardcover editions when available and desired as long term collection additions. Paperback editions may be purchased when hardcover is not available or the title would be weeded from the collection in a shorter period of time.

Textbooks are purchased only where material is not available in another format. The library does not purchase textbooks used by the local school districts.

Videos purchased by the library do not have public performance rights unless so stated.

New formats will be considered for the collection when a significant portion of the community population has the necessary technology to make use of the format. Availability of materials in the new format, costs, and the library's ability to purchase and house the collection will be taken into consideration in deciding to add the format to the collection.

Collection Maintenance

Materials are withdrawn from the library collection through a process of systematic

weeding by the staff or because of physical damage or loss. Damaged or lost materials may be replaced at the discretion of the staff following weeding criteria.

Weeding criteria include but are not limited to: availability of newer materials on the subject, circulation of the material, dated subject matter included in the work, material no longer of use to the community, and damage to material.

Weeded materials in good condition will be put on the book sale or sent to a company who assists resale of suitable and relevant items or donates them to someone in need. Materials will not be held or given to individuals.

A local history collection is maintained within the reference and circulating collections, including books on Marysville, Marshall County, Kansas, and local high school yearbooks.

Reconsideration of Library Materials

It is the obligation of the Marysville Public Library to include within its collection differing points of view. The libraries' selections of an item do not express or imply endorsement of the authors' viewpoint. Materials will not be marked in any way to show approval or disapproval of their contents, nor will items be sequestered, except for the purpose of protecting them from damage or theft.

Patron feedback about the collection or suggestions for purchase are always welcome and provide the Director and Board with useful information. The library will be governed in its material selection by the collection development policy as set forth in this document.

Reconsideration requests of library materials will be handled as follows:

1. Complaints and concerns about library materials must be made in writing, on the form provided (Appendix C), and given to the Director. The form can only be filled out for one item at a time. The form must be filled out completely to be considered valid.
2. Upon receipt of the formal request for reconsideration of materials, the Director will collect information as to the criteria used in selecting the material, its place in the collection, and reasons for including the material in the collection.
3. A written response will be sent by the Director, including the decision about the challenged material, to the person requesting the reconsideration. The Library Board will be informed of all requests for reconsideration of library materials.
4. A decision made by the Director can be appealed by the complainant, in writing, to the Library Board president. When a reconsideration request appeal is received, a three-person committee will be formed, designated by the Director. The item will be reviewed and a recommendation will be presented to the board.
5. The Board, after consideration of the request and determination of the review committee, will respond in writing with the final decision to the complainant. After a final decision has been made, the item cannot be appealed again by the same complainant within twelve months.

To submit a request for reconsideration of library materials, the patron must live within the bounds of Marshall County, Kansas, and be a cardholder of the Marysville Public

Library. No more than five items can be submitted for reconsideration within a calendar year of the first reconsideration request.

Gifts, Memorials, and Donations

The Collection Development Policy also applies to all materials obtained through gifts, memorials, and donations. No individual notification of final placement of materials donated will be sent. Donator must fill out Donated Materials Form found as Appendix D.

Policy updated 2/22/23 and 2/28/2024.

5. Technology

Copy and Fax Machine Use

The library has a copy machine and fax machine available for public use. Cost is commensurate with the expense of the service.

Internet Access and Public Computer Safety Policy

The Marysville Public Library provides access to the Internet at public access computers in the library to support its mission, connecting everyone to the online world of information and ideas. The library also offers free wireless Internet access within the library. The wireless Internet we offer may be unfiltered. By choosing to use this free service you are agreeing to the libraries Internet Access and Public Computer Safety Policy. The wireless network is not secure.

Customers who use the library's computers or wireless network to access the Internet must abide by state and federal laws, particularly those ensuring the safety of minors, and follow the policies of the library.

Use of the library's computers or wireless network to access the Internet constitutes agreement with this policy.

Unacceptable use includes, but is not limited to:

- Accessing or exhibiting visual depictions that are child pornography, harmful to minors, or obscene as defined by the Kansas Children's Internet Protection Act (K.S.A. Supp. 2013 75-2589)
- Violating individual privacy rights, including unauthorized disclosure, use and dissemination of personal information regarding minors
- Sending harassing messages to other computer users
- Accessing or attempting to access secure data in an unauthorized manner
- Damaging or attempting to damage computer equipment or software
- Interfering with system operations, integrity, or security
- Violating copyright laws and software licensing agreements

A customer who is observed using a workstation in an unacceptable manner may be subject to:

- Immediate termination of the Internet session
- Suspension of computer use or other library privileges
- Notification of appropriate law enforcement officials
- Prosecution

Other protocols for use include:

- The library staff reserves the right to limit the number of users at a workstation at any given time.
- Patrons sign up for a public internet access computer at the Circulation Desk. If all computers are in use and there are users that have been on over one hour, whomever has been on the longest will be asked to end their session immediately.

- Printing in black and white or color is available from the internet computers for a fee payable at the circulation desk.
- Internet access users are not allowed to use the Marysville Public Library name, address or phone number in any way.
- Virus checking software is loaded on library Internet terminals. Patrons use the library equipment at their own risk.
- Staff will help patrons on the computer as their ability and time allows.
- The Library assumes no responsibility for the safety of equipment or for notebook/laptop computer or other wireless device configurations, security, or data files resulting from connection to the Libraries' wireless access.

(Added 10/27/2021)

INTERNET SAFETY POLICY
FOR Marysville Public Library

Introduction

Public access to the Internet and online services have become an integral part of the Marysville Public Library's programs and services. The intent of this policy is to meet the provisions of the Kansas Children's Internet Protection Act, as well as provide guidelines for patrons and staff regarding online computer use of Internet accessible computers.

The purpose of the Internet Safety Policy of Marysville Public Library is to implement and enforce technology protection measures to: ensure that no minor has access to visual depictions that are child pornography, harmful to minors, or obscene; and ensure that no person has access to visual depictions that are child pornography or obscene while using a public access computer.

Developed under the direction of the Board of the Marysville Public Library, this Internet Safety Policy was discussed and adopted during an open meeting of the Library Board on 10/27/2021. This policy supersedes all previous Internet Safety Policy statements of the Marysville Public Library and is effective on 10/27/2021.

This policy document will be reviewed by the Marysville Public Library Board at least every three years.

Legal Requirements

The Marysville Public Library Internet Safety Policy complies with the applicable requirements of subsection (b) and L. 2013, ch. 98, sec. 1, and amendments thereto, commonly known as the Kansas Children's Internet Protection Act.

The Marysville Public Library has in place a policy of Internet safety for minors, including the operation of a technology protection measure or other process that blocks or filters online access to visual depictions that are child pornography, harmful to minors or obscene as defined in L. 2013, ch. 98, sec.1.

Supervision and Monitoring

Subject to staff supervision, technology protection measures may be disabled only for bona fide research or other lawful purpose.

It shall be the responsibility of all members of the Marysville Public Library staff to supervise and monitor usage of the online computer network and access to the Internet in accordance with this policy and the Kansas Children’s Internet Protection Act.

Patrons who encounter web sites which they believe should be blocked but which are not, or who are prevented from accessing web sites which they believe should not be blocked may submit a complaint. This should be given in writing to the library director or senior staff member in charge and include the URL of the site in question and whether the request is to block or unblock it. Staff shall examine the site and determine whether it should be blocked or unblocked. If the technology protection measure being used is a regional service, the information and recommendation shall be forwarded to the appropriate regional staff.

Complaints about enforcement of this policy or observed patron behavior which violate this policy shall also be submitted in writing to the library director, providing as much detail as possible.

The library shall inform patrons of the provisions of this policy, including the standards used and procedures for complaint, by making the policy available on the library’s web.

Library Board Chairperson

Library Director

The effective date of the last review of this policy is 10/27/2021.

Adoption Date: 10/27/2021

First Review Date: _____

Second review date: _____

6. Circulation Policy

POLICY STATEMENT

A Marysville Public Library card is required to make full use of library services, including borrowing materials and accessing subscription online services. Library cards are issued to help the library maintain accountability of library resources and make them available to the public.

DEFINITIONS

An account is a record of each customer including their personal information, items checked out, on hold, associated fees, requests, and other information that allows full use of library services and maintains customer accountability.

A block is a note or message associated with customer accounts. Blocks may include special messages added by staff or automatically generated blocks that indicate reserved items are available for a customer, fees are due, items are overdue, or other circumstances that may affect the use of service.

A collections fee is a \$10 fee accrued if items become 60 days overdue and are over \$10 to replace. If the items are returned in good condition, the materials charge will be removed. The collections fee is non-refundable.

Library Cards

1. Applying for a Library Card for Adults
 - a. The library requires a photo ID in order to issue a card. If the photo ID does not have current address, a piece of mail, not including junk mail or an item that is handwritten, will be required.
 - b. Patrons must provide their full legal name, current address, and date of birth. College students and hotel residents will be asked to provide a permanent address.
 - c. Upon signing the back of the card, the patron agrees to accept responsibility for all items checked out on their card. Patron is responsible for informing the library of any change in address or theft of card.
2. Applying for a Library Card for Ages Under 18
 - a. Children under 18 years of age must have a custodial adult, who will have to provide the above proof of identification unless they currently have a card, sign the application.
 - b. This person will agree to be financially responsible for all materials checked out on that card.
 - c. Children who are at least 14 years old will be allowed to check out two items one time only without a parent or guardian's signature on the card. The receipt for items will be sent to the parent/guardian with a letter explaining the situation. The parent will then be asked to come in,

provide the required identification, and sign the library card before circulation can continue.

- d. Patrons who are sixteen years old or younger are allowed to check out R or TV-MA rated DVDs if they have authorization from by their parent or legal guardian when they first get their card.
3. Applying for a Digital Library Card
- a. Patrons may request a digital library card on the library’s website. This card will provide access to the Marysville Public Library’s online resources only. If a patron would like to check out physical items, the digital card can be transferred and would require verification as per regular cards.

Material Check Out

A loan period is the length of time one patron may keep a specific item.

A loan limit is the total number of items of a specific kind that any one patron may have on loan at one time.

Items	Loan Periods	Renewal	Loan Limits	Overdue Fines
Books	2 Weeks	2 Times	No Limit	No Fines
Audiobooks	2 Weeks	2 Times	No Limit	No Fines
DVDs	1 Week	2 Times	4/Card; Only 2 New	No Fines
Magazines	1 Week	2 Times	No Limit	No Fines
Interlibrary Loans	Variable	Variable	Twenty Requests	Variable
Games	1 Week	None	One Per Card	No Fines

Access to Records

A patron may check out materials and access his or her own record only by providing a valid Marysville Public Library Card, patron number, or valid proof of identity. Parents or guardians of children under 18 years of age may, upon presentation of proper identification, obtain the current status of their child’s circulation record or withdraw their authorization for the child’s library card.

A patron may check out materials on another’s library card if they have that library card with them or there is a note of authorization on the patron’s record. They will not be given information on that account beyond what is printed on the checkout receipt.

Confidentiality of Records

All outside inquiries regarding access to patron registration and circulation records will be referred to the Director. No records will be made public without the Director’s approval. The Director’s decision may be appealed to the board at the next regularly scheduled board meeting. Patron registration and circulation records are exempt from Open Records Law (KSA 45-221) and information will only be released upon receipt of a

valid court order or subpoena authorized under federal, state, or local law. Library staff will not disclose library patron's use of the library with respect to information sought or received, except pursuant to a valid court order or subpoena authorized under federal, state, or local law.

Reserves

A reserve may be placed on items that are currently checked out. The patron will be called or emailed when the materials are received by the library. The patron will have five business days to pick up the materials. Materials not picked up in the five days will go to the next patron on the reserve list or be reshelved. Reserves may not be placed on any materials not yet in the computer system.

Renewal

Items may be renewed for the loaning limit up to two times if the items are not on reserve for other patrons. Materials on reserve will be requested to be returned as soon as possible.

Charges

The Marysville Public Library does not collect fines for overdue books.

We ask patrons to renew materials kept beyond the checkout period so that the library does not incur the expense of sending overdue notices. Notices are sent electronically if we have patron's email address; otherwise a printed letter is mailed. All third notices are sent via print mail.

After 60 days, a bill for material replacement will be generated -- current book cost if available, original cost if not -- plus \$1.00 charge for the book cover, labels, and shipping. The total is then posted to the patron's account.

Damaged or destroyed books will be billed to the patron, who is entitled to the book if amount is paid in full within 60 days.

Patrons with account fees totaling \$10 or more will be unable to check out any items until efforts have been made to begin paying the bill.

If a patron returns a lost and paid for item, they may be reimbursed at the library director's discretion.

All assessments of damage will be made at the discretion of the Library Director and staff.

Check Policy

All checks written to the Marysville Public Library must have the account holder's name and address printed on the check. No checks with a check number under 500 shall be accepted. Library staff shall authorize the acceptance of a check by initialing the upper

right hand corner and deposit stamping the back. Exception to this rule may be allowed by library director or person in charge.

Credit Card Usage

The Marysville Public Library (“Library”) accepts credit and debit cards as a convenient form of payment for library patrons. A service fee, determined by KanPay Counter, will be applied to the total. The types of credit/debit cards accepted are MasterCard, Visa, Discover and American Express. Payment will be accepted only from the person listed on the card as the cardholder.

Patron will be required to sign a paper receipt for the Library to file. The signature on the receipt must match the signature on the card or on the patron’s driver’s license.

Paper receipts will be available for patron upon request.

KanPay Counter is an e-government service provider designed for municipal governments. The credit card readers are designed to meet PCI/DSS and NACHA requirements to secure cardholder data via encryption at the point of swipe.

The Library reserves the right to refuse service at any time if a fraudulent transaction is suspected. No transactions will be accepted via phone, fax or email. No cash advance or cash back transactions will be permitted.

Interlibrary Loan

The Marysville Public Library participates in interlibrary loan (ILL). The library will accept requests electronically, by phone, and on paper. Patrons will be limited to twenty active requests in the system at one time. Staff members will not keep requests for patrons to be ordered as items are returned. Items that are within four months of publication or release will not be requested. Renewal of ILL items can only be granted through the Interlibrary Loan Librarian Assistant.

No requests will be made for a patron with a balance of \$10.00 or more. Requests will be made for patrons with a balance on their account of less than \$10 but full payment must be received before the ILL item will be checked out to the patron.

Failure to return items by due date may result in a loss of interlibrary loan or public library privileges. Library patrons who fail to return material borrowed from them via ILL will be charged for the value of the item as determined by the lending library, and may not borrow items through ILL until their account is clear.

Policy updated 4/25/2023.

7. Building Policy

Business Hours

The Library will be open:

Monday, Tuesday, Wednesday, and Friday - 10:00 am - 6:00 pm

Thursday - 10:00 am - 7:30 pm

Saturday - 10:00 am - 2:00 pm

Holiday Hours

The library will be closed on the following holidays during regular business hours: New Year's Day, Dr. Martin Luther King Jr. Day, Presidents' Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving and the Friday following, and Christmas. The library board will use its discretion for Christmas Eve and New Year's Eve as timing and budget allow.

Key Policy

All keys in possession of employees must be returned at the termination of their employment. The last paycheck will be withheld until the keys are returned. Should the employees lose the keys, the amount of changing locks and having new keys made will be taken from their paycheck.

Food and Drink Policy

Restricting where food and drink may be consumed in the library is necessary to protect our materials, provide a healthy environment for our patrons and to avoid the negative effects of pests. Food, other than small packaged snack items, is not permitted in any public areas of the library other than a library sanctioned event. Covered, reusable containers such as travel mugs with lids and bottles with screw-on or pop-up tops designed to minimize spills are preferred. Unacceptable containers include, but are not limited to, aluminum cans and paper or Styrofoam cups including those with plastic lids and straws.

Smoking Policy

To support the health and well-being of our employees and customers, the Marysville Public Library is committed to providing a smoke-free environment in the workplace.

In accordance with the Kansas Clean Indoor Air Act (2010 House Bill 2221), all Marysville Public Library employees and patrons shall adhere to the following policy.

No smoking is permitted anywhere inside or outside (within a 10-foot radius of any doorway, open window, or air intake) of the library. No smoking is permitted at any location that signage prohibits smoking.

Meeting Room

It is the policy of the Marysville Public Library, as part of its information mission, to provide meeting room space for meetings and programs of a civic, cultural, educational, and/or recreational nature.

Persons attending the meetings are subject to all library regulations and policies. First priority for use of the meeting rooms will be given to library-produced or library-sponsored programs. The right to revoke permission to use a meeting room is reserved if the room is needed for library purposes. The meeting room will be made available to businesses and private individuals for the fee of \$5.00 an hour. Not-for-profit groups and government agencies utilizing the meeting room for public meetings or programs will not be charged a fee. The room may only be booked up to 3 months in advance; this includes groups scheduling use of the room on a regular basis.

No organization or business may use the meeting room to offer goods for sale during the library's open hours.

The use of a meeting room does not indicate the library's endorsement of the beliefs or ideas expressed by those using the room. Meetings may not be publicized in a manner that suggests library sponsorship or affiliation. The final decision on the scheduling of a meeting or program in the library rests with the library director.

Rules for Use

Use of the meeting room is limited to the room itself and the adjacent restrooms. Nails, tacks, pushpins, and adhesives may not be used on the walls. Chairs and tables are available for use. Renters must provide their own consumables. The library's supplies of coffee, tea, creamer, paper goods, and plastic ware are for library use only.

The group or individual renting the room is responsible for any damage to furniture, carpeting, electrical system, television including remote, bathroom fixtures, and tile. The library will arrange for cleaning or repairs and bill the person responsible for the room.

If the room is to be used after library hours, a key to the room must be picked up in advance during library hours. The key may be returned through the book drop after use. Loss of the key will result in the person responsible being billed for the cost of lock replacement including new keys. Failure to follow rules or pay for the room in a timely fashion will result in loss of meeting room use privileges.

Alcohol and Drug use

The possession and consumption of alcohol and/or illegal drugs on library property is strictly forbidden. Should an employee be caught in possession of or under the influence of alcohol or illegal drugs, the result will be immediate termination.

Phone Policy

Outgoing Calls

Children: Staff will offer to call parent/guardian for a child in an emergency situation. If parent/guardian asks to speak to the child, explain phone use is for library business only.

Incoming Calls

Calls for children and adults will be treated in the same manner. If caller requests to know if someone is in the library, staff will ask who is calling and offer to relay a message to the person. Staff will not tell the caller if the person is present but only relay a message if they are. Staff will explain that the phone is for library business use only.

Cell Phones

Cell phone users will be asked to step into the entryway or step outside the building when receiving or placing calls. All cell phones should be set to silent upon entering the library.

Security Camera

Policy Statement: The Marysville Public Library strives to maintain a safe and secure environment for staff and customers. In pursuit of this objective, selected areas of the library premises are equipped with video cameras. The library's video security system shall be used only for the protection and safety of customers, employees, property, and to assist in law enforcement. The system is intended to complement and not replace other library security procedures.

Definition: The Security Camera System is a closed network of cameras utilized to capture images and transmit them for display on a limited number of monitors.

Regulations

1. Only the Director or employees designated by the Director are authorized to access or operate the video security system. Reproduction or storage of images and access to reviewing live or stored images is limited to the Director, the library board, and library staff.
2. Reasonable efforts shall be made to safeguard the privacy of customers and employees.
3. With the exception of records retained for criminal, safety or security investigations, the library will not maintain a copy of recordings for longer than the 21-day recording cycle.
4. The Director or their designee may use a still shot or portions of the recorded data to request law enforcement review for assessing a security risk or investigating a crime.

5. For investigations initiated by law enforcement agencies, recorded data will be made available to law enforcement upon presentation of a valid court order. Only the Director will be authorized to release images to law enforcement.
6. The digital video recorder and recorded data shall be considered confidential and maintained in a secure manner.
7. The system is not to be used for live monitoring, unless there is a significant rule violation or security situation.
8. Signage shall be posted to inform the public of the presence of security cameras.

Procedures

1. The security cameras and system operation shall be maintained by the Director.
2. The Director shall perform random checks of the system from time to time in order to insure it is operating properly.

Photography Policy

The Marysville Public Library occasionally uses photographs and/or video of patrons in its publications such as brochures, promotional materials, newsletters, magazines, web and social media sites, and display boards, or in other non-library publications. Featured individuals will not be named without prior consent.

By participating in programs, permission to use one's image is tacitly granted; the library may crop or treat the photograph at their discretion. The library may use the photograph at any time in the future; once posted online, the image can be downloaded by anyone with access to the site. If you or members of your group do not consent to be photographed, please let a staff member know.

Patrons and visitors are invited to snap impromptu photos in the library. However, our first mission is that of a library. To maintain a proper environment, we ask you follow these photography/video guidelines.

- We allow professional, commercial, or group photography with prior approval from the Director. That includes photography for such special events as weddings, engagements, proms, and homecoming.
- Be respectful of fellow patrons, following the library's code of conduct.
- Among other things, we prohibit photos and video of other patrons and staff members or impeding access to any area of the library. We also bar the use of equipment beyond cameras, phones, and video recorders (e.g., tripods, lights and reflective shields).

Unattended Child and Patron Behavior Policies

Unattended Child Policy Statement

A primary mission of the library is to provide a safe, secure, comfortable, and convenient facility for patrons and staff. This is especially true for children who visit the

library. Although staff are available to assist and provide general guidance, **the library does not provide childcare services.** Attaining the desired and appropriate environment for children requires the communication and cooperation of both staff and parents/guardians.

Definitions for the Purpose of this Policy:

Unattended Child

An unattended child is any young person, seven years or younger, unaccompanied by a responsible adult or babysitter who is unable to care for themselves or use the library responsibly.

Adult, Parent, Caregiver, Babysitter

These terms are used in this policy to designate a person 12 years old or older who is legally responsible for the welfare and behavior of the children they are accompanying and who can take responsibility should an emergency arise.

Inappropriate Behavior

Examples of inappropriate behavior may include but are not limited to:

Disruptive behavior, such as running, shouting, climbing, rude actions, horseplay, etc. **Verbal or physical abuse of staff or other people in the library**, such as cursing, demeaning comments, talking back, rude comments, hitting, biting, kicking, punching, teasing other children, hiding property, etc.

Damage to property of the library or others, such as breaking or ruining supplies, improper use of furniture or equipment, theft, etc.

Regulations

1. It is the responsibility of parents/guardians to assure the appropriate behavior of their children while in the library
2. Children exhibiting inappropriate and/or disruptive behavior may be asked to leave the library building and grounds.
3. Children seven years of age and younger must be attended and supervised (within sight) at all times by a responsible person. This person must be twelve years of age or older and be assigned to the care of the child.
4. Library staff is not responsible for the supervision of children left unattended. Staff response to children left unattended can include:
 - a. Sending the child home.
 - b. Calling parents/guardians to come to the library and pick the child up.
 - c. Calling the police, or the appropriate authorities including child welfare agencies, to assume responsibility for the child.
5. Chronic offenders will be denied use of the library.
6. Individuals of any age with mental, physical, or emotional problems which render supervision necessary shall be accompanied by a parent or other caregiver at all times.
7. Finally, be aware that when the library closes, the doors are locked, lights are turned off, and no one is available to supervise the areas outside the library. Please arrange to pick up your child BEFORE closing time. If a child is still in the

library at closing time and we are unable to locate the caregiver, for the safety of your child, the local authorities will be called to assist in locating a parent/guardian. Two staff members will stay inside the library with the child until the child has been picked up.

Patron Behavior Policy Statement

The Patron Behavior Policy encourages behavior that supports the library's mission. Those unable to comply with acceptable behavior may be required to leave and may lose library privileges. This policy is enforced on all library premises. The library staff may enforce this policy by checking bags, requesting identification, or searching/removing unattended items.

Expectations of patron behavior:

1. Patrons will demonstrate self-respect, respect for others, and respect for all things in the library environment.
2. Patrons will help maintain a safe, orderly, and productive library environment through the use of self-discipline.
3. Patrons will handle all conflicts without the use of violence and with courtesy and respect for the rights of all.
4. Patrons will dress in an appropriate manner including that which demonstrates a concern for public health, hygiene, and decency.

Unacceptable behaviors can include but are not limited to:

1. Any behavior that is physically and/or mentally threatening to others or that is illegal. Examples include:
 - a. Carrying, displaying, or entering the premises with weapons of any type unless authorized to do so.
 - b. Theft.
 - c. Fighting or threatening physical harm.
 - d. Gross disrespect toward any individual, including cursing and name-calling.
 - e. Defiance of library rules and the efforts of staff to enforce them.
 - f. Entering the premises with or under the influence of alcohol or drugs.
 - g. Smoking in the building.
 - h. Engaging in sexual harassment of any kind.
 - i. Engaging in inappropriate touching.
 - j. Transporting explosive devices or any portion of such onto the premises.
 - k. Vandalism.
 - l. Accessing, creating or displaying information by any means, including via the library's public computing service, that is obscene as defined by Kansas law.-K.S.A. 21-6401 is listed as Appendix E.
 - m. Disclosing or disseminating personal information by any means, including via the library's public computing service, that could threaten or create vulnerability for any person or the library.
2. Any behavior that negatively affects an orderly environment. Examples include:

- a. Disruptive behavior in any part of the library including the hallways and restrooms.
 - b. Disruptive behavior during programs.
 - c. Disruptive behavior on library grounds.
 - d. Destruction and defacement of property.
 - e. Leaving a child aged seven or younger unattended in the library.
3. Any behavior that interferes with the library use of other patrons. Examples include:
- a. Failure to follow reasonable requests by the staff.
 - b. Playing audio/video equipment so that others may hear it.
 - c. Engaging in horse play.
 - d. Disturbing other patrons in any way.
 - e. Disrespect/defiance of staff and/or library policies and procedures.

Engaging in unacceptable behavior may result in loss of privileges, expulsion from the library, and/or contact and referral to the appropriate legal authority. Library privileges may be temporarily revoked by the director and may be permanently revoked by vote of the library board.

Bulletin board use

The Marysville Public Library provides bulletin board space in the public service area for the posting of information and announcements of interest to the community. While priority is given to materials relating directly to the library, notices of community affairs will be displayed subject to the availability of space. Granting permission to post materials does not imply library endorsement of their contents, nor will the library accept responsibility for the accuracy of any statements or representations made in such materials.

Permission will not be granted to post the following:

- 1. Anonymous notices, or those which do not clearly indicate the identification of the individual, group or agency involved.
- 2. Announcements or advertisements of a commercial nature.
 - a. Cultural events for which admission is charged and education courses for which there is tuition are not construed as commercial.
- 3. Notices of religious services.
 - a. Concerts and lectures held in churches are not religious services.
- 4. Notices from political parties.
 - a. These shall be defined as any materials from organizations which nominate candidates for public office in a general election.

All materials accepted for posting must be of reasonable size and free of inappropriate graphics or phrases.

It is the intent of this policy to establish the public bulletin board as a central source of library and local information, relevant to the needs and interests of the community. When in doubt, the final determination of a posting is done by the library director.

Only materials pertinent to library hours or library activities shall be posted on library doors and windows.

In case of undated notices or those of an indefinite nature, material will be posted for one month. Renewal may be granted at the discretion of the library director as space permits.

Emergency Closing and Inclement Weather

Should the library be forced (for reasons out of our control) to close, all staff scheduled to work shall be paid for their normal working hours so long as the funds are available. Reasons for closing can include medical emergencies, power outage, fire, tornado, facility damage, flood damage, etc. The Director is authorized by the Library Board to make decisions regarding building closings with consultation from Board Members or other staff members.

The library will close when weather makes travel to the library unsafe for patrons and staff, or it is impossible to have sufficient staff to properly serve patrons. The inability of the library to keep the front area reasonably free of snow and ice will also be a consideration in closing the library. The decision to close shall be made by the Director in consultation with the Board President. Whenever possible this decision shall be made before 9 am.

In the event of a tornado warning, patrons and staff shall take cover in the hall outside the bathrooms. Unattended children shall be asked to remain in the library. Parents/guardians will be called to inform them of the whereabouts of their children. The front doors of the building will remain unlocked in case others needing a place to shelter can get in.

Staff shall canvas the building to inform patrons of the situation and move them to the designated shelter area. A phone and first aid kit shall be gathered by staff and brought to the shelter area.

Pandemic Preparedness

In case of a pandemic the library will follow the City of Marysville's lead and close the library if requested. All regularly scheduled staff will continue to be paid, so long as the library has funds. The library may be used as needed by the City.

Displaying Collections

The library will accept collections for display pending Board approval. The owner of the collection will need to provide representation of the collection for the Board. Once the collection is approved, the owner will need to sign a contract releasing the library from liability.

Policy updated 5/24/2023.

8. Appendix

A. 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.

1. 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.
2. 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.
3. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.
4. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.
5. A person's right to use a library should not be denied or abridged because of origin, age, background, or views.
6. 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.
7. All people, regardless of origin, age, background, or views, possess a right to privacy and confidentiality in their library use. Libraries should advocate for, educate about, and protect people's privacy, safeguarding all library use data, including personally identifiable information.

Adopted June 19, 1939, by the ALA Council; amended October 14, 1944; June 18, 1948; February 2, 1961; June 27, 1967; January 23, 1980; January 29, 2019.

Inclusion of "age" reaffirmed January 23, 1996.

B. Freedom to Read Statement

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 counter threats to safety or national security, as well as to avoid the subversion of politics and the corruption of morals. We, as individuals 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 individual, by exercising critical judgment, will select the good and reject the bad. 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 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 or unwelcome scrutiny by government officials.

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 and 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, unpopular, or considered dangerous by 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 the prejudgment of a label characterizing any expression 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 others. 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; and by the government whenever it seeks to reduce or deny public access to public information.*

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. Further, democratic societies are more safe, free, and creative when the free flow of public information is not restricted by governmental prerogative or self-censorship.

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 Americans 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, by the ALA Council and the AAP Freedom to Read Committee; amended January 28, 1972; January 16, 1991; July 12, 2000; June 30, 2004.

This is taken from ala.org/advocacy/intfreedom/freedomreadstatement.

C. Request for Reconsideration of Materials

Date: _____

Material for reconsideration:

Author: _____

Title: _____

ISBN: _____

Publisher: _____

Request initiated by:

Name: _____

Address: _____

Phone: _____

Complainant represents: _____

To what do you object? Please be specific and cite page numbers. _____

Did you read the entire book? Yes No

What do you feel might be the results of reading this book?

For what age group would you recommend this book? _____

For what age group would you not recommend this book?

What did you like about the book? _____

Signature

D. Donated Materials Form

This is to acknowledge that

were received from:

Name _____

Address _____

City, State, Zip _____

Phone _____

It is understood by the donor that items received or accepted by The Marysville Public Library become the sole property of the library and will be used at the Library's discretion in accordance with the collection development policy, whether they are added to the collection or sold. No conditions by the donor will be placed on the donation. Once donated materials become the sole property of The Marysville Public Library.

Acknowledged and agreed to this day _____

Donor's signature _____

Librarian's signature _____

E. Display Case Request Form

Name: _____
(Full legal name of organization, if applicable)

Address: _____

Telephone: _____ (Day)
_____ (Evening)

Type of Exhibit: (describe briefly)

Month Preference: _____ (The Library does not guarantee that this preference can be accommodated.)

I understand that the Marysville Public Library cannot be held responsible for any damage or theft that may occur during the period of time the exhibit is on display.

Exhibitor Signature: _____ Date: _____

Approved by: _____ Date: _____

Artist Exhibit Release Form

I, the undersigned artist, agree that the Marysville Public Library shall not be held responsible or legally liable for any loss or damage of any kind occurring to the consigned object(s) owned by me and displayed by the above named Marysville Public Library. This includes but is not limited to damage from fire, theft, and vandalism.

Artist

Marysville Public Library Representative

F. Kansas State Statute 21-6401

21-6401. **Promoting obscenity; promoting obscenity to minors.** (a) Promoting obscenity is recklessly:

- (1) Manufacturing, mailing, transmitting, publishing, distributing, presenting, exhibiting or advertising any obscene material or obscene device;
- (2) possessing any obscene material or obscene device with intent to mail, transmit, publish, distribute, present, exhibit or advertise such material or device;
- (3) offering or agreeing to manufacture, mail, transmit, publish, distribute, present, exhibit or advertise any obscene material or obscene device; or
- (4) producing, presenting or directing an obscene performance or participating in a portion thereof which is obscene or which contributes to its obscenity.

(b) Promoting obscenity to minors is promoting obscenity, as defined in subsection (a), where a recipient of the obscene material or obscene device or a member of the audience of an obscene performance is a child under the age of 18 years.

(c) (1) Promoting obscenity is a:

- (A) Class A nonperson misdemeanor, except as provided in (c)(1)(B); and
- (B) severity level 9, person felony upon a second or subsequent conviction.

(2) Promoting obscenity to minors is a:

- (A) Class A nonperson misdemeanor, except as provided in (c)(2)(B); and
- (B) severity level 8, person felony upon a second or subsequent conviction.

(3) Conviction of a violation of a municipal ordinance prohibiting acts which constitute promoting obscenity or promoting obscenity to minors shall be considered a conviction of promoting obscenity or promoting obscenity to minors for the purpose of determining the number of prior convictions and the classification of the crime under this section.

(d) Upon any conviction of promoting obscenity or promoting obscenity to minors, the court may require, in addition to any fine or imprisonment imposed, that the defendant enter into a reasonable recognizance with good and sufficient surety, in such sum as the court may direct, but not to exceed \$50,000, conditioned that, in the event the defendant is convicted of a subsequent offense of promoting obscenity or promoting obscenity to minors within two years after such conviction, the defendant shall forfeit the recognizance.

(e) Evidence that materials or devices were promoted to emphasize their prurient appeal shall be relevant in determining the question of the obscenity of such materials or devices. There shall be a rebuttable presumption that a person promoting obscene materials or obscene devices did so knowingly or recklessly if:

- (1) The materials or devices were promoted to emphasize their prurient appeal; or
- (2) the person is not a wholesaler and promotes the materials or devices in the course of the person's business.

(f) As used in this section:

(1) Any material or performance is "obscene" if:

(A) The average person applying contemporary community standards would find that the material or performance, taken as a whole, appeals to the prurient interest;

(B) the average person applying contemporary community standards would find that the material or performance has patently offensive representations or descriptions of:

(i) Ultimate sexual acts, normal or perverted, actual or simulated, including sexual intercourse or sodomy; or

(ii) masturbation, excretory functions, sadomasochistic abuse or lewd exhibition of the genitals; and

(C) taken as a whole, a reasonable person would find that the material or performance lacks serious literary, educational, artistic, political or scientific value;

(2) "material" means any tangible thing which is capable of being used or adapted to arouse interest, whether through the medium of reading, observation, sound or other manner;

(3) "obscene device" means a device, including a dildo or artificial vagina, designed or marketed as useful primarily for the stimulation of human genital organs, except such devices disseminated or promoted for the purpose of medical or psychological therapy;

(4) "performance" means any play, motion picture, dance or other exhibition performed before an audience;

(5) "sexual intercourse" and "sodomy" mean the same as in K.S.A. 2022 Supp. [21-5501](#), and amendments thereto; and

(6) "wholesaler" means a person who distributes or offers for distribution obscene materials or devices only for resale and not to the consumer and who does not manufacture, publish or produce such materials or devices.

(g) It shall be a defense to a prosecution for promoting obscenity and promoting obscenity to minors that the:

(1) Persons to whom the allegedly obscene material or obscene device was disseminated, or the audience to an allegedly obscene performance, consisted of persons or institutions having scientific, educational or governmental justification for possessing or viewing the same;

(2) defendant is an officer, director, trustee or employee of a public library and the allegedly obscene material was acquired by such library and was disseminated in accordance with regular library policies approved by its governing body; or

(3) allegedly obscene material or obscene device was purchased, leased or otherwise acquired by a public, private or parochial school, college or university, and that such material or device was either sold, leased, distributed or disseminated by a teacher, instructor, professor or other faculty member or administrator of such school as part of or incidental to an approved course or program of instruction at such school.

(h) Notwithstanding the provisions of K.S.A. 2022 Supp. [21-5204](#), and amendments thereto, to the contrary, it shall be an affirmative defense to any prosecution for promoting obscenity to minors that:

(1) The defendant had reasonable cause to believe that the minor involved was 18 years old or over, and such minor exhibited to the defendant a draft card, driver's license, birth certificate or other official or apparently official document purporting to establish that such minor was 18 years old or more; or

(2) an exhibition in a state of nudity is for a bona fide scientific or medical purpose, or for an educational or cultural purpose for a bona fide school, museum or library.

(i) The provisions of this section and the provisions of ordinances of any city prescribing a criminal penalty for exhibit of any obscene motion picture shown in a commercial showing to the general public shall not apply to a projectionist, or assistant projectionist, if such projectionist or assistant projectionist has no financial interest in the show or in its place of presentation other than regular employment as a projectionist or assistant projectionist and no personal knowledge of the contents of the motion picture. The provisions of this section shall not exempt any projectionist or assistant projectionist from criminal liability for any act unrelated to projection of motion pictures in commercial showings to the general public.

History: L. 2010, ch. 136, § 212; L. 2011, ch. 30, § 57; July 1.

Source or Prior Law:

21-4301, 21-4301a.