

**MOUNT PROSPECT PUBLIC LIBRARY
CIRCULATION POLICY
and LIBRARY RECORDS CONFIDENTIALITY POLICY**

I. LIBRARY MISSION.

The mission of the Mount Prospect Public Library is to provide diverse services and resources to meet the informational, educational, recreational and lifelong learning needs of the Mount Prospect community.

II. LIBRARY BILL OF RIGHTS.

The Mount Prospect Public Library affirms Article 5 of the American Library Association's Library Bill of Rights:

"A person's right to use a library should not be denied or abridged because of origin, age, background, or views."

III. CONFIDENTIALITY OF PATRON RECORDS.

"The registration and circulation records of a library are confidential information. Except pursuant to a court order, no person shall publish or make any information contained in such records available to the public." (75 Illinois Compiled Statutes 70/1 (a))

Effective 1/1/2008 an exception to the requirement of a court order is made per Public Act 95-0040 if the following conditions are met:

1. A sworn law enforcement officer states that it is impractical to get a court order as a result of an emergency situation;
2. The officer states there is probable cause to believe that there is imminent danger that someone will be physically harmed;
3. The information requested is limited to only identifying a suspect, witness, or victim of a crime;
4. The information does not include any registration or circulation records that would indicate materials borrowed, resources reviewed, or services used at the library.

Procedure: The requesting law enforcement officer must complete an Officer's Request for Confidential Library Information form (Appendix C) and acknowledge receipt.

IV. CIRCULATION POLICIES. (Refer also to Denial of Service Policy)

- A. The Mount Prospect Public Library will accept all library cards issued by any Illinois public library. Library cards from outside the state will not be accepted for the circulation of materials.
- B. There will be no limit on the total number of individual items that can be borrowed by any patron at a given time. See also VII and VIII.

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- C. Reference books may not be borrowed by patrons not holding Mount Prospect Public Library cards. All other materials may be borrowed by these patrons, with certain restrictions. See also VII.
- D. A total of six (6) items only may be borrowed by patrons owning a valid Mount Prospect Public Library card but not carrying it on their person. Such patrons will be required to produce identification showing current name and address before borrowing materials. Without a library card or other identification, no patron may borrow any library materials at any time. Patrons with library cards not from the Mount Prospect Public Library may not borrow materials without their library card in hand.
- E. Mount Prospect Public Library card holders may place reserves on all library materials, except reference books, newspapers, pamphlets and new developing collections. No fee will be charged to patrons for this service.
- F. Library materials may be renewed once. Materials will be renewed for a period of time equal to the original loan period of the item, and may only be renewed if no other patrons have placed a reserve on the item. Library materials may be renewed over the telephone, online or brought to the library to be renewed. Renewal exceptions include reference books, pamphlets, newspapers and new developing collections as well as materials checked out to a homebound card.

V. PATRON REGISTRATION.

- A. All individual patrons, including patrons from other libraries, will be required to register before borrowing library materials from the Mount Prospect Public Library. To register, all patrons will be required to produce two forms of identification, at least one of which shows current name and address. Patron registrations for Mount Prospect Public Library card holders are valid for a period of three years; for other card holders, the patron registration period will be one year. Patrons with expired registrations will be required to show appropriate identification showing name and address to re-register.
- B. To insure legal responsibility for borrowed materials, a parent's signature will be required for all library cards issued to patrons under 18 years of age.
- C. Library cards may be issued to individuals who as an individual or as a partner, principal stockholder, or other joint owner owns taxable

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property or is a senior administrative officer of a firm, business, or other corporation owning taxable property within Mount Prospect. To register for a library card, such individuals will have to show a tax bill indicating tax contribution to the Mount Prospect Public Library, plus one other form of identification showing current home address.

"The nonresident fee shall not apply to privilege and use provided under the terms of the library's membership in a library system operating under the provisions of the Illinois Library System Act, under the terms of any reciprocal agreement with a public or private corporation or entity providing a library service, or to a nonresident who as an individual or as a partner, principal stockholder, or other joint owner owns taxable property or is a senior administrative officer of a firm, business, or other corporation owning taxable property within the city, incorporated town, village or township upon the presentation of the most recent tax bill upon that taxable property, provided that the privilege and use of the library is extended to only one such nonresident for each parcel of such taxable property." (75 Illinois Compiled Statutes 5/4-7 (12))

VI. FINES AND FEES.

- A. Patrons who have accrued a total of over \$5.00 in fines or bills will be restricted from borrowing additional materials.
- B. A processing fee of \$5.00, in addition to cost, will be charged for each lost and/or damaged item.
- C. A fee of \$1.00 will be charged to replace lost or damaged Mount Prospect Public Library cards.

VII. RECIPROCAL BORROWERS.

Reciprocal borrowers are limited to six audiovisual items on their library card at any one time which may include two older feature DVDs.

VIII. SPECIFIC COLLECTION LIMITS

Main Library

Mount Prospect patrons are limited to the following number of items per following collections: 15 fiction VHS tapes; 15 non fiction VHS tapes; 6 feature / multipart DVDs (four new fiction DVDs); 15 CDs; 15 non fiction DVDs; 1 BluRay DVD.

Refer to Appendix B – Main Library Summary Loan Periods, 01/13/12

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South Branch

Mount Prospect patrons with library card, are limited to fifteen (15) items total per visit, any combination of: new books, books, books on CD, and magazines; a maximum of two (2) DVD and two (2) music CD, and one (1) puppet.

Mount Prospect patrons with library card, may checkout a maximum of two (2) DVD, and two (2) music CD, and one (1) puppet, and fifteen (15) any combination other print (new books, books, books on CD, and magazines).

Refer to Appendix C – South Branch Summary Loan Periods, dated 11/01/2011

Appendix A – State Statute for non resident services; dated May 2008

Appendix B – Main Library Summary Loan Periods; dated 01/13/12

Appendix C – South Branch Summary Loan Periods; dated 11/01/2011

**Appendix D – Officer's Request for Confidential Library Information form:
Approved October 18, 2007; Effective January 1, 2008**

TITLE 23
SUBTITLE B: CULTURAL RESOURCES
CHAPTER I: SECRETARY OF STATE
PART 3050
PUBLIC LIBRARY NON-RESIDENT SERVICES

Section

- 3050.10 Definitions
- 3050.20 Public Library Responsibilities
- 3050.25 Applying for a Non-Resident Library Card
- 3050.30 Regional Library System Responsibilities
- 3050.40 Options for Non-Resident Library Cards
- 3050.50 Criteria for Non-Resident Library Cards
- 3050.60 Non-Resident Fee Formula
- 3050.70 Non-Resident Property Owner
- 3050.80 Contractual Services
- 3050.90 State Mandates Act Exemption

AUTHORITY: Implementing and authorized by Section 4-17 of the Illinois Local Library Act [75 ILCS 5/4-7], and authorized by Section 30-55.60 of the Public Library District Act of 1991 [75 ILCS 16/30-55.60] and Section 8.25 of The State Mandates Act [30 ILCS 805/8.25]

SOURCE: Adopted at 26 Ill. Reg. 5974, effective July 1, 2002.

Section 3050.10 Definitions

"Closest public library" means a participating public library that issues non-resident library cards that meet the conditions of Section 3050.25 of this Part. The factor for determining the closest public library for the non-resident shall be determined by the location of a participating public library.

"Commonality of community interests" means activities involving, but not limited to, education, retail, commercial, cultural, civic, health facilities, financial institutions and recreation.

"Non-resident" means an individual residing in Illinois who does not have his or her principal residence within the territory of a public library service area.

"Non-resident library card" means the library card purchased by an individual residing in an area not taxed for public library service from a participating public library.

"Participating public library" means the public library whose board of trustees authorizes the issuance of non-resident library cards.

"Public library" means the same as defined at 23 Ill. Adm. Code 3030.10.

"Public library service area" means the legal territory served by the public library.

"School district" means high school district or unit district.

Section 3050.20 Public Library Responsibilities

- a) The public library board of trustees shall annually take action to decide whether to issue non-resident library cards during the ensuing 12 months. At that time, the non-resident library card fee formula and fee, if applicable, to be used will be determined and adopted.
- b) The public library board of trustees shall notify the regional library system within 30 days of the action taken and effective dates and fee formula as determined in this Part.
- c) The participating public library shall continue to honor the non-resident library cards issued by the library for the full term of purchase.
- d) Participating public libraries shall cooperate with other participating area public libraries and the regional library system and adjacent regional library systems to determine the appropriate non-resident service areas as stated in Section 3050.25 of this Part.
- e) Nothing in this Part requires a public library to participate in the non-resident library card reciprocal borrowing program of a regional library system. Non-participation in the non-resident library card program does not preclude a public library from applying for and receiving grant funds from the Illinois State Library as long as the public library complies with requirements of the specific grant program.

Section 3050.25 Applying for a Non-Resident Library Card

- a) A non-resident shall apply for a non-resident library card at the closest public library. The factor for determining the closest public library shall be determined by the residence of the non-resident. Non-residents shall apply at the participating public library in the school district in which the non-resident has his or her principal residence unless, due to the commonality of community interests, library services at another library that is physically closer may better serve the needs of the non-resident.
- b) If there are two or more public libraries in the school district in which a non-resident resides, the participating public libraries in that school district, in cooperation with the applicable regional library systems, shall determine the appropriate library service area for non-residents to make application for a non-resident library card.
- c) If there is no participating public library in the school district in which the non-resident resides, the applicable regional library systems that serve the school district shall, in cooperation with participating libraries in the general area of the school district, determine the non-resident service area. The factor to be used for determining a non-resident service area shall be the commonality of community interests that influence the activities of all the residents of the service area.

Section 3050.30 Regional Library System Responsibilities

- a) The regional library systems, by September 1, 2002, shall submit to the Illinois State Library, and post on their Internet sites, the names of participating and non-participating public libraries. During this period, the regional library systems shall assist public libraries in complying with Section 3050.25 of this Part.
- b) Beginning in 2003, the regional library systems shall submit the names of participating and non-participating public libraries as of July 1 of each year in the annual report to the Illinois State Library. The report shall include the action public libraries take in compliance with Section 3050.20(a) of this Part.
- c) The regional library systems shall maintain an up-to-date list on their Internet site of participating and non-participating public libraries and the effective dates of the 12 month period. This list shall also be available in print upon request and available for public inspection at the regional library system headquarters.

Section 3050.40 Options for Non-Resident Library Cards

- a) The public library board of trustees' policy for service to non-residents, including a description of the public library's service areas and methods of calculating fees (if the library participates), shall be available for public inspection at the library.
- b) A valid non-resident library card shall accord the non-resident library cardholder all the services the issuing public library provides to its residents including reciprocal borrowing privileges.

Section 3050.50 Criteria for Non-Resident Library Cards

- a) The non-resident library card issued by a participating public library should include, at a minimum, the name of the library; the expiration date of the non-resident library card; and the words "Non-Resident". The non-resident library card shall be issued for 12 months subject to the exemptions in Section 30-55.60 of the Public Library District Act of 1991 [75 ILCS 16/30-55.60] and the Illinois Local Library Act [75 ILCS 5/4-7(8)].
- b) A local use only card may not be issued to a non-resident whether or not a library participates in the non-resident library card program.

Section 3050.60 Non-Resident Fee Formula

There are three options that a public library can use to determine its non-resident fee *according to the formula established by the Illinois State Library* [75 ILCS 5/4-7 (12) and 75 ILCS 16/30-55.60]. In subsections (a) and (b) of this Section, the non-resident fee shall be equitable and proportionate to the fee paid by residents.

- a) General Mathematical Formula:
 - 1) To determine the minimum non-resident fee, a local library should divide the library income from local property tax sources or its equivalent by the local population to determine the cost of service per capita. The library should multiply the per capita figure by the average number of persons per household in the community to obtain the average cost per

household on which to base a fee for a family card. The most recent federal census information available shall be used in determining population and household size.

- 2) Library income from local property tax sources excludes State and federal funds.

b) Tax Bill Methods:

- 1) Non-Resident Taxpayer: The library tax rate or equivalent, including all special levies, is applied to the non-resident property owner's principal residence assessed valuation on an individual, case by case basis. The most recent property tax bill will be used. The property owner will pay the same amount as would be paid if the property were in the library service area.
- 2) Non-Resident Renter: The library shall either charge a minimum of 15 percent of the monthly rent as the annual non-resident fee, or devise its own formula. The local formula shall take into account the average local rent of the general community of the public library, property tax rate, and the non-resident fee for residential homeowners. The library board shall annually determine the percent to be applied to non-resident renters. The renter shall provide to the public library a current rent receipt or a cancelled rent check for verification purposes.

c) Adoption of the Average Non-Resident Fee in the System Area:

- 1) In public library service areas with a disproportionately large share of the property valuation in agricultural, industrial, mining, commercial or other non-residential property, the library board of trustees may ask the Director of the Illinois State Library for authorization to adopt as its non-resident fee the average non-resident fee in the system in which the library is located. Such average will be taken from "Illinois Public Library Statistics: Analyses, 2001-2002" produced by the Library Research Center, University of Illinois at Urbana-Champaign, 501 E. Daniel Street, Champaign IL 61820, (<http://lrc/lis.uiuc.edu/IPLAR/form,2001-2002>, no later editions or revisions included).
- 2) This exception is not a general alternative to the formula, and will apply only under the conditions stated above, with the approval of the Illinois State Library.

Section 3050.70 Non-Resident Property Owner

- a) The non-resident fee shall not apply to a *non-resident who, as an individual or as a partner, principal stockholder, or other joint owner, owns taxable property or is a senior administrative officer of a firm, business, or other corporation owning taxable property within the district, upon presentation of the most recent tax bill upon that taxable property, provided that the privileges and use of the library is extended to only one such non-resident for each parcel of taxable property.* [75 ILCS 5/4-7 (12) and 75 ILCS 16/30-55.60(3)]

- b) The library card shall accord the non-resident property owner cardholder all the services the issuing public library provides its residents, including reciprocal borrowing privileges.

Section 3050.80 Contractual Services

The rules providing for non-resident status shall not apply to any person residing in any territory for which the corporate authority of that territory, or a private corporation, has contracted for library service on behalf of the residents with a public library as provided in Section 4-7(8) of the Illinois Local Library Act [75 ILCS 5/4-7(8)] and Section 30-55.40 of the Public Library District Act of 1991 [75 ILCS 16/30-55.40].

Section 3050.90 State Mandates Act Exemption

No reimbursement is required by the State for the implementation of any mandate created by this Part as provided in Section 8 of the State Mandates Act [30 ILCS 805/8.25].

Main Library Summary Loan Periods

<u>Item</u>	<u>MPPL Patron Limit</u>	<u>Reciprocal * Limit</u>	<u>Loan Period</u>	<u>Fine</u>
Without Library Card	6 items total with valid license	0 Must have library card		
New Books	Unlimited	Unlimited	2/3weeks (renewable)	\$.20 per day
Books	Unlimited	Unlimited	3 weeks (renewable)	\$.10 per day
Magazines/Pamphlets	Unlimited	Unlimited	2 weeks (renewable)	\$.10 per day
Encyclopedia	Unlimited	Unlimited	1 week (renewable)	\$.10 per day
Fiction VHS Tapes	15	6 total AV	1 week (renewable)	\$1.00 per day
Non Fiction VHS Tapes	15	6 total AV	2 week (renewable)	\$1.00 per day
New Fiction DVDs	4 DVDs	0	3 days (renewable)	\$2.00 per day
New Multipart Fiction DVDs	4 (part of 4 total New Fiction DVDs)***	0	2 week (renewable)	\$2.00 per day
New Non-Fiction DVDs	15 total Non Fiction DVDs	6 (part of 6 total AV)	2 week (renewable)	\$2.00 per day
New Blu Ray DVD's	1	0	3 days (renewable)	\$2.00 per day
Fiction DVDs	6 DVDs	2 (part of 6 total AV)	1 week (renewable)	\$1.00 per day
Multipart Fiction DVDs	6 (part of 6 total Fiction DVDs)***	2 (part of 6 total AV)	2 week (renewable)	\$1.00 per day
Non Fiction DVDs	15 total Non Fiction DVDs	6 (part of 6 total AV)	2 week (renewable)	\$1.00 per day
Blu Ray DVDs	1	0	1 week (renewable)	\$1.00 per day
Harper Telecourses	1 total	1 (part of 6 total AV)	3 day (non renewable)	\$1.00 per day
Great Courses	2 total	2 (part of 6 total AV)	4 weeks (renewable)	\$1.00 per day
Audiocassettes	Unlimited	6 total AV	2 weeks (renewable)	\$.20 per day
Books on Cassette/CD	Unlimited	6 total AV	3 weeks (renewable)	\$.20 per day
CDs	15 total	6 total AV	2 weeks (renewable)	\$.20 per day
CD-Roms	Unlimited	6 total AV	2 weeks (renewable)	\$.20 per day
Video Games	1	0	2 weeks (renewable)	\$1.00 per day
Playaway View	1	0	2 weeks (renewable)	\$1.00 per day
Playaways	2	1	3 weeks (renewable)	\$.20 per day
Book Discussion Bags	1	1	6 weeks (not renewable)	\$5.00 per day
Kits- Adult	Unlimited	6 total AV	3 weeks (renewable)	\$.10 per day
Kits- Youth	Unlimited	6 total AV	varies (renewable)	\$.10 per day
Toys	4 total per family	4 total per family	1 week (renewable)	\$.20 per day
Art Prints	4	4 (part of 6 total AV)	2 months (renewable)	\$.20 per day
ILL	3 can be requested	0	Varies	\$1.00 per day

Residents can borrow a total of 15 New/Old Non Fic. DVDs; 1 BluRay DVD, 15 CD's & Non Fic./Fic VHS Tapes out at any time

***Residents can borrow a total of 4 New Fiction/New Multipart Fiction and a total of 6 Fiction/Multipart Fiction for a total of 10 DVDs out at one time

*Reciprocal borrower is a non resident who has their library card registered with MPPL

South Branch Summary Loan Periods

<u>Item</u>	<u>MPPL Patron Limit*</u>	<u>Reciprocal Limit***</u>	<u>Loan Period</u>	<u>Fine</u>
New Books	15	15	2/3weeks	\$.20 per day
Books	15	15	3 weeks	\$.10 per day
Magazines	15	15	2 weeks	\$.10 per day
New Fiction DVDs	2 (part of 2 DVD limit)	0	3 days	\$2.00 per day
New Multipart Fiction DVDs	2 (part of 2 DVD limit)	0	2 week	\$2.00 per day
Fiction DVDs	2 (part of 2 DVD limit)	2 (part of 2 AV limit)	1 week	\$1.00 per day
Multipart Fiction DVDs	2 (part of 2 DVD limit)	2 (part of 2 AV limit)	2 week	\$1.00 per day
Non Fiction DVDs	2 (part of 2 DVD limit)	2 (part of 2 AV limit)	2 week	\$1.00 per day
Books on CD	15	15	3 weeks	\$.20 per day
CDs music	2 (part of 2 music CD limit)	2 (part of 2 AV limit)	2 weeks	\$.20 per day
ESL CD or Book on CD	15	15	3 weeks	\$.20 per day
Puppets	1	1	1 week	\$.10 per day
ILL	5 can be requested	0	Varies	\$1.00 per day

*MPPL Patron w/library card can have 2 DVD's, 2 Music CDs, and 15 any combination other print or book on CD with a max of 1 puppet per visit.
Total library limits for the library per format apply.

**MPPL Patron w/driver's license 6 items total. Any combination of material with a max of 2 DVD's, 2 CDs and 1 puppet

***Reciprocal borrower is a non resident who has their library card registered with MPPL. Any combination of material with a max of 2 DVD's, 2 CDs and 15 books and 1 puppet.

****Only MPPL card holders may place items on request. Reciprocal borrowers may not place any items on request.

*****All items may be renewed by all patrons for one renewal period.

**Mount Prospect Public Library
10 S. Emerson St.
Mount Prospect, IL 60056
847-253-5675**

Officer's Request for Confidential Library Information

- A. This is a request under the Illinois Library Records Confidentiality Act, 75 ILCS 70/1 (copy attached) for information contained in the library's registration and/or circulation records.
- B. My request for information is limited to identifying a "suspect, witness, or victim of a crime."
- C. As the basis for this request, I represent the following:
 - 1. I am a sworn law enforcement officer.
 - 2. As a result of an emergency where I believe there is imminent danger of physical harm, it is impractical to secure a Court Order for the identification information.
- D. The information I request relates to the following (Description of information sought):

Officer's Acknowledgment
I acknowledge receipt from the library of the information I requested.

<hr/> <p>Officer's Printed Name</p>	<hr/> <p>Officer's Agency/Department</p>	<hr/> <p>Officer's Signature</p>
<hr/> <p>Officer's Badge Number</p>	<hr/> <p>Time Signed</p>	<hr/> <p>Date Signed</p>

(Library Use Only)

Name(s) of Library Staff assisting with the information requested:

Illinois Records Confidentiality Act (75 ILCS 70/1-2)

(75 ILCS 70/1) (from Ch. 81, par. 1201)

Sec. 1. (a) The registration and circulation records of a library are confidential information. No person shall publish or make any information contained in such records available to the public unless:

- (1) required to do so under court order; or
- (2) the information is requested by a sworn law enforcement officer who represents that it is impractical to secure a court order as a result of an emergency where the law enforcement officer has probable cause to believe that there is an imminent danger of physical harm. The information requested must be limited to identifying a suspect, witness, or victim of a crime. The information requested without a court order may not include the disclosure of registration or circulation records that would indicate materials borrowed, resources reviewed, or services used at the library. If requested to do so by the library, the requesting law enforcement officer must sign a form acknowledging the receipt of the information. A library providing the information may seek subsequent judicial review to assess compliance with this Section. This subsection shall not alter any right to challenge the use or dissemination of patron information that is otherwise permitted by law.

(b) This Section does not prevent a library from publishing or making available to the public reasonable statistical reports regarding library registration and book circulation where those reports are presented so that no individual is identified therein.

(b-5) Nothing in this Section shall be construed as a privacy violation or a breach of confidentiality if a library provides information to a law enforcement officer under item (2) of subsection (a).

(c) For the purpose of this Section, (i) "library" means any public library or library of an educational, historical or eleemosynary institution, organization or society; (ii) "registration records" includes any information a library requires a person to provide in order for that person to become eligible to borrow books and other materials and (iii) "circulation records" includes all information identifying the individual borrowing particular books or materials.

(Source: P.A. 95-40, eff. 1-1-08.)

(75 ILCS 70/2) (from Ch. 81, par. 1202)

Sec. 2. This Act may be cited as the Library Records Confidentiality Act.

(Source: P.A. 86-1475.)