

Creating Strong Policies & Procedures for Public Libraries

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Strong Policies & Procedures

Session Objectives

- Importance of strong policies & procedures
- Statutory support for library policies
- Policy development roles & responsibilities
- Different types of policies
- Basic elements of policies
- The 4 tests of a legally enforceable policy



Why Policies?

- Provides a framework for equitable operations
 - ◆ Prevents case-by-case decisions
 - ◆ Reduces misunderstandings
 - ☞ Staff know procedures
 - ☞ Patrons know what to expect
- Provides legal protection for the library
 - ◆ Helps prevent and defend against lawsuits
 - ◆ Provides library with means to handle gifts
- Promotes a positive image of the library



High Risk Story 1

- Hypothetical Public Library has no collection development or gift policy, but accepts “free” subscriptions to *Sierra* and *Christian Science Monitor*
- Aggressive patron offers subscriptions to slanted political magazines
- Without a formal policy, the library has no basis to decline the offer



High Risk Story 2

- Hypothetical Public Library has no patron conduct or meeting room policy
- Salesman creates daily office in study room, plugs in computer, printer, takes cell phone calls
- Library bans him from using the library based on noise and expense
- Salesman now conducts business from posh office leased with proceeds from lawsuit



Statutory Support for Library Policies

- “Every public library shall be free for the use of the inhabitants...subject to such **reasonable regulations** as the library board prescribes...” [43.52(2)]
- “...the library board shall **supervise the administration of the public library...**” [43.58(4)]



Policy Roles & Responsibilities

- The library director recommends policies & provides the information needed to evaluate the proposed policy and any alternatives
- The library board approves policies & regularly reviews policies to make any needed changes
- The library director ensures that staff & library users understand the policies & follow them



Two Approaches to Policies

There is no absolute rule to organizing and categorizing your policies. But...

- Boards should decide which is appropriate:
 - ◆ Many individual, narrow policies
 - ◆ Fewer broad, multi-faceted policies



Types of Policies (with Examples)

- Doctrinal Policies
 - ◆ ALA Bill of Rights
 - ◆ Confidentiality, Privacy
 - ◆ Board and Staff Ethics
- Operational Policies
 - ◆ Patron Conduct
 - ◆ Emergencies and Disasters
- Financial Policies
 - ◆ Gifts and bequests
 - ◆ Purchasing
 - ◆ Investments
- Service & Access Policies
 - ◆ Circulation
 - ◆ Public Computer Use
 - ◆ Meeting Room Use
- Collection Policies
 - ◆ Collection Development
 - ◆ Reconsideration of Materials/Policies
- Personnel Policies
 - ◆ Municipal personnel
 - ◆ Staff conduct



Some Essential Public Library Policies

- Circulation (including hours open)
- Collection development
- Confidentiality of patron records
- Meeting room use (if the library has a public meeting room)
- Personnel
- Use of electronic resources
- Public behavior



Policy Elements

Components of library policy:

- Policy Statement
 - ◆ Explains the WHY
- Regulation
 - ◆ Establishes the rules and WHAT must be done
- Procedure
 - ◆ Clarifies HOW staff will carry out the policy
- Guidelines (not always necessary)
 - ◆ Special circumstances for circulation exemption
 - ◆ Process for determining WHEN guest card is okay



A Good Policy...

- Complies with law
- Promotes the best interest of all community members
- Is consistent with the library's mission
- Is fair to all and respectful of individual rights and individual differences
- Is easily understood and interpreted
- Promotes positive public image of library





A Legally-Enforceable Policy

- Must comply with current statutes and court cases
- Must be reasonable (and all penalties must be reasonable)
- Must be clear (not ambiguous or vague)
- It must be applied without discrimination



Test 1: **It must comply with current law**

- A library policy charging patrons for use of computers in the library would be contrary to Wis. Stats. section 43.52(2)
- A policy that says the library's public meeting room cannot be used for religious purposes would be unconstitutional under a Wisconsin federal district court decision.



Test 2: **It must be reasonable**

- A library policy that says “all talking in the library is prohibited and anyone who talks in the library will permanently lose library use privileges” is clearly an unreasonable rule with an unreasonably harsh penalty.



Test 3: It must be clear

- A policy that says “library use privileges will be revoked if a patron has too many overdue books” is too vague to be fairly administered.
- Policy and penalty must be quantifiable.
- Someone reading the policy will know what constitutes a violation.



Test 4: **It must be applied without discrimination**

- If a library charges fines, it cannot give preferential treatment to some patrons. For example, if the library sometimes waives fines, that waiver must be available to all patrons on an equal basis, not just to friends of library staff or politically important people.



For more information:

- Your library system staff
- Your municipal attorney
- Wisconsin Public Library Policy Resources web page at: <http://dpi.wi.gov/pld/boards-directors/policy-resources>
- Contact Shannon Schultz, Public Library Administration Consultant, (608) 266-7270 or shannon.schultz@dpi.wi.gov



Thank you!

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