



Manhattan-Elwood  
PUBLIC LIBRARY DISTRICT

## MANHATTAN-ELWOOD PUBLIC LIBRARY DISTRICT

### BY-LAWS

240 Whitson Street, P.O. Box 53  
Manhattan, IL 60442

#### ARTICLE I NAME

The name of this district shall be MANHATTAN-ELWOOD PUBLIC LIBRARY DISTRICT. The principle location is 240 Whitson Street, Manhattan, Illinois, serving the Villages of Manhattan and Elwood; Jackson Township and Manhattan Township.

#### ARTICLE II MEMBERSHIP

- Section 1 The Board shall consist of seven (7) members, residents of Manhattan-Elwood Public Library District, elected for a four (4) year term. The election shall be staggered, three (3) members to be elected in one election, the next four (4) members to be elected in the following election.
- Section 2 Vacancies occurring on the Library Board shall be filled as prescribed by Library Law. When considering a candidate to fill a vacancy, it is the goal of the Library District to choose an appointee from an area of the district that does not have adequate representation. Trustees are encouraged to appoint someone who is non-related to any employee or trustee to avoid instances where conflict of interest could arise whereby the trustee would have to be recused from discussion and action.
- Section 3 As allowed by law, absence without cause from all regular board meetings for a period for one year shall be a basis for declaring a vacancy.
- Section 4 Library Board Members are subject to all circulation rules imposed upon all patrons.

#### ARTICLE III FINANCIAL/FIDUCIARY RESPONSIBILITIES

##### A. FINANCES

1. An annual library budget shall be prepared by the Board of Trustees and the Library Director.
2. Once the budget is approved, the Treasurer and by designation, the Library Director acting under the authority of the Library Board of Trustees, of the Manhattan-Elwood Public Library District shall pay monthly expenses not to exceed the budgeted amount without library board approval. A financial report will be presented monthly at Board meetings.
3. The Board must formally approve any expenditures, transfers, or loans made from any bond funds, special fund, or other non-operating funds over which the Board has control. The Board may make expenditures, transfers, and loans as permitted by existing statutes, ordinances, and other applicable laws.

## B. INVESTMENT OF PUBLIC FUNDS

### Purpose:

The purpose of this policy statement is to outline the responsibilities, general objectives, and specific guidelines for management of public funds by the Manhattan-Elwood Public Library District.

### Responsibilities:

All investment policies and procedures of the Manhattan-Elwood Public Library District will be in accordance with Illinois law. The authority of the Library Board of Trustees to control and invest public funds is defined in the Illinois Public Funds Investment Act, and the investments permitted are described therein. Administration and execution of these policies are the responsibility of the Treasurer, and, by designation, the Library Director acting under the authority of the Library Board of Trustees. Investments, fund balances, and the status of such accounts will be reported at each regularly scheduled meeting of the Library Board.

### Objectives:

In selecting the financial institutions and investment instruments to be used, the following general objectives should be considered:

- Safety
- Maintenance of sufficient liquidity to meet current obligations
- Return on investment
- Simplicity of management

### Guidelines:

The following guidelines should be used to meet the general investment objectives:

1. Safety -
  - a. Investments will be made only in securities guaranteed by the U.S. Government, or in FDIC or FSLIC insured institutions. Deposit accounts in banks or savings and loan institutions will not exceed the amount insured by FDIC or FSL coverage.
  - b. Authorized investments include and will primarily consist of Certificates of Deposit, Treasury Bills and other securities guaranteed by the U.S. Government, participation in Illinois Funds, the State of Illinois' Public Treasurer's Investment Pool, and any other investments allowed under Illinois State law that satisfy the investment objectives of the Library District.
2. Maintenance of sufficient liquidity to meet current obligations - in general, investments should be managed to meet liquidity needs for the current month plus one month (based on forecasted needs).
3. Return on investment - Within the constraints of Illinois law and this investment policy, every effort should be made to maximize return on investments made. All available funds will be placed in investments or kept in interest bearing deposit accounts at all times.
4. Simplicity of management - The time required by Library Administrative Staff to manage investments shall be kept to a minimum.

## C. INSURANCE

1. The Board of Trustees shall determine that the property of the Library is adequately insured against loss and damage.
2. The Board shall likewise determine that the Library carries sufficient General Public Liability Insurance, Workman's Compensation and any other type of insurance which it considers necessary.
3. Should the Errors & Omissions Insurance be used, any deductible is to be paid by the Library District unless the conduct which results in a claim is willful or intentional.

D. MEETINGS AND WORKSHOPS

1. In order to render the best service possible to the community, it is very important that the Library Director and the Board of Trustees keep informed of Library activities in other communities, and participate in study workshops.
2. Because it is an advantage to the Library as well as to the Library Director and Staff to participate in any of these activities whenever possible, the Board will pay staff and trustee expenses (mileage, parking fees, meals, registration fees, etc.) for meetings, conferences, workshops, study courses, etc. subject to the Local Government Travel Expense Control Act, P.A. 099-0604 (effective 1/1/17).

E. SALE OR DISPOSITION OF REAL PROPERTY (75 ILCS 5/4-16)

When the board of trustees has determined to sell or otherwise dispose of real or personal property that it deems no longer necessary or useful for library purposes, such may be sold or disposed of at a public sale, but the corporate authorities shall have the first right to purchase such property for public or corporate purposes by meeting bids acceptable to the board.

1. Personal property of any value may be donated or be sold to any other tax supported library or to any library system operating under the provisions of the Illinois Library System Act under such terms or conditions as the board may determine.
2. Personal property having a unit value of \$1,000 or less may be disposed of as the board may determine.
3. Personal property having a unit value of more than \$1,000 but less than \$2,500 may be displayed at the library, and a public notice of its availability, the date and the terms of the proposed sale shall be posted.
4. In all other cases, the board shall publish notice of the availability and location of the real or personal property and the date and terms of the proposed sale, giving such notice once each week for 2 successive weeks. Such notice shall be published in one or more newspapers published within the city, incorporated town, village or township, or, if there is no such newspaper, then at least once in a newspaper of general circulation in the city, incorporated town, village, or township.

On the day of a sale conducted pursuant to the provisions of this Section the board shall proceed with the sale and may sell such property for a price determined by the board, or, to the highest bidder. Where the board deems the bids inadequate, it may reject such bids and re-advertise the sale.

(Source: P.A. 84-770.) (75 ILCS 5/4-16) (From Ch. 81, par. 4-16)

F. FIDUCIARY RESPONSIBILITIES

It is well established that a public officer occupies a fiduciary relationship to the political entity on whose behalf he serves.

The fiduciary responsibilities of a public official are the same as those owed by a private individual...Fiduciaries, in general, owe a duty of good faith toward those whose repose confidence in them and must act in the best interests of those whose trust the fiduciary receives.

Other Illinois courts have specifically defined fiduciary duties as “duties of good faith, loyalty and honesty.”

The fiduciary duties owed by a public official to the political entity on whose behalf he serves are so well established as to need no citation of authority to support them. They include the requirement of undivided, unselfish, and unqualified loyalty, of unceasing effort never to profit personally at corporate expense, of unbending disavowal of any opportunity which would permit the fiduciary’s private interests to clash with those his corporation. These duties are rooted not only in elementary rules of equity but also in business morality and public policy.

ARTICLE IV OFFICERS

Section 1 The Officers of the board shall be a President, a Vice-President, a Secretary, and a Treasurer.

Section 2 The Officers shall be elected at the first regular meeting following the third Monday in May (when Trustee terms begin) for a term of two (2) years. Vacancies in office shall be filled forthwith by the Board soon after the vacancy occurs.

- Section 3 The President of the Board shall preside at all meetings, appoint all committees, and in general perform the duties of a presiding officer. The President is a voting member of the Board.
- Section 4 The Vice-President, in the event of the absence or disability of the President or of a vacancy in that office, shall assume and perform the duties and functions of the President.
- Section 5 The Secretary of the Board or appointee shall keep a true and accurate account of the Board Meetings, record attendance, record all votes, absentees and abstentions from voting, shall issue notices of all regular meetings called, and shall perform such duties as may properly belong to the office or be delegated by the President or by action of the Board. Minutes will be approved at the next open meeting and be available to the public within ten days.
- Section 6 The Treasurer, and, by designation, the Library Director acting under the authority of the Library Board of Trustees shall keep and maintain accounts and records of the Library during their term of office, indicating therein, a record of all receipts, disbursements, and balances in any funds. The Treasurer must be bonded or insured with the cost to come from general library funds. ILCS 16/30-45d
- Section 7 In the absence of the Treasurer, all Officers have the authority to sign checks.

## ARTICLE V MEETINGS OF THE BOARD

- Section 1 The regular monthly meetings of the Board of Trustees shall be held on the fourth Monday of each month at 4:30 p.m. at in the Library.
- Section 2 The Budget and Appropriation Ordinance and Tax Levy Ordinance are to be prepared as prescribed by law.
- Section 3 Special meetings may be called by the President or Secretary or any four Trustees.
- Section 4 All meetings shall comply with the Open Meeting Act. (ILSC 16/30-50) including:
- A. Keeping a verbatim record of all closed meetings.
  - B. Trustees may attend Public Meetings by conference by video or audio conference with the following provisos:
    1. The Trustee wishing to attend via video or audio conference must give advance notice unless it is impractical.
    2. A quorum of the Board must be physically present at the meeting location.
    3. A majority of the Board must vote in favor of attendance via video or audio conference either by a general rule or on a case by case basis.
    4. Reasons for attending via video or audio conference are limited to:
      - a. Personal illness or disability
      - b. Employment purposes
      - c. Business of the Library
      - d. Family emergency
      - e. Other emergency
  - C. Communication via contemporaneous electronic means (i.e. e-mail, chat rooms, instant messaging) will be construed as a “meeting” for Open Meetings Act purposes. This does not mean that e-mails are prohibited, but they cannot be used to discuss issues between Board Members that should be discussed at an open meeting.
- Section 5 A quorum for the transaction of business shall consist of four (4) Trustees. A majority of those present shall determine the vote on any questions. The majority of any standing committee shall constitute a quorum for the transaction of any committee business.

Section 6 The order of business for regular meetings shall include, but is not limited to, the following items which shall be covered in the sequence shown so far as circumstances will permit:  
(a) Roll call of Members (record those present and those absent)  
(b) Changes to the agenda.  
(c) Public comment  
(d) Approval of minutes  
(e) Correspondence and communications  
(f) Financial report and approval of expenditures  
(g) Library Director's report  
(h) Standing committee reports  
(i) Report of special committees  
(j) Unfinished business  
(k) New business  
(l) Audience to Visitors (limited to 5 minutes)  
(m) Adjournment

Section 7 Public comment will be accepted for no longer than 5 minutes and will not be commented on or acted upon by the Board at that meeting. Members of the audience/public will not be allowed to speak a second time until all members of the audience/public have been allowed to speak.

Section 8 Robert's Rules of Order, current revision, shall govern in the parliamentary procedure of the Board.

#### ARTICLE VI COMMITTEES

Section 1 The President shall appoint Committees of one or more Members for such specific purposes as the function of the Board may require from time to time. The Committee shall be discharged upon the completion of the purpose for which it was appointed and after the final report is made to the Board.

Section 2 All Committees shall make a progress report at each Board Meeting as required.

Section 3 No Committee shall have other than advisory powers unless by suitable action of the Board it is granted specific power to act.

Section 4 Standing Committees/Board Representation:  
Budget  
Building  
By-Laws  
Capital Campaign  
Citizen Survey  
Disaster Plan  
Internet Policy  
Long Range Planning  
Personnel Policy  
Village of Elwood  
Village of Manhattan

#### ARTICLE VII LIBRARY DIRECTOR

Section 1 The Library Director shall be considered the Executive Director of the policies adopted by the Board and shall have sole charge of the administration of the Library under the direction and review of the Board.

Section 2 The Library Director shall be held responsible during library hours for the care of the building and equipment including appointing qualified staff to act in his/her absence, the employment and direction of the staff, the efficiency of the library service to the public, the accuracy of the records, the reliability of his/her accounts and statements, oversee the selection and purchase of Library materials, the enforcement of the rules and for the operation of the Library under the financial conditions set forth in the annual budget.

- Section 3 The Library Director shall attend all Board Meetings. The Director is urged to speak on all subjects under discussion, but has no vote. The Library Director's attendance at closed sessions is subject to the Board's determination.
- Section 4 The Library Director shall oversee, keep a record of, and submit a monthly report of the operations of the Library including a list of all major accessions to the various departments, whether by gift or purchase, and make such recommendations as in his/her opinion will promote its efficiency.
- Section 5 In the event that the Library Director is absent, the Library Director shall designate a staff member to perform the routine daily duties of the Library Director.
- Section 6 The Board is solely in charge of hiring or dismissing the Library Director and determines his/her salary. Qualifications should include a professional degree from a library school accredited by the Committee on Accreditation of the American Library Association, and two years of experience in a managerial position of a public library, or experience which the Board considers equivalent to the above qualifications.
- Section 7 The Library Director has the authority to hire and dismiss at will any employee.

ARTICLE VIII AMENDMENTS

- Section 1 A review of the Bylaws will be conducted annually by the Bylaws Committee with recommended changes, additions, and deletions to be presented to the entire Library Board at the following regular Library Board Meeting.
- Section 2 The By-laws may be amended at any meeting of the Board by vote of a majority of a quorum. Proposed amendments are to be presented to each member of the Board.

# MANHATTAN-ELWOOD PUBLIC LIBRARY DISTRICT **POLICIES**

## I. MISSION STATEMENT

### A. GENERAL PURPOSE

The general Library objectives of the Manhattan-Elwood Public Library District shall be:

1. To assemble, preserve and administer, in organized collections, books and related educational and recreational materials in order to promote an enlightened citizenship and enrich personal lives.
2. To serve the community as a center of reliable information.
3. To support educational, civic, and cultural activities of groups and organizations.
4. To provide opportunities and encouragement for children, young people, men and women to educate themselves continuously.
5. To seek continually to identify community needs and work toward providing programs of service to meet such needs.
6. To provide opportunity for recreation through the use of literature and other art forms as available funds permit.

### B. MEANS OF ATTAINMENT

In maintaining these objectives, the following policies should be observed by the Board and Staff: a high degree of accuracy in records maintained and information given, cooperation with other civic organizations, an open-minded attitude toward new methods and improvements for better service, a high degree of attractiveness attained through neatness, order and systematic arrangements and a careful observation of ethics in relations between Board Members and Staff.

## II. STATEMENT OF PRINCIPLES

THE BOARD OF TRUSTEES FOR THE MANHATTAN-ELWOOD PUBLIC LIBRARY DISTRICT APPROVES AND ACCEPTS THE PRINCIPLES AS STATED IN THE LIBRARY BILL OF RIGHTS (Exhibit 1), THE AMERICAN LIBRARY ASSOCIATION'S FREEDOM TO READ (Exhibit 2), AND THE AMERICAN LIBRARY ASSOCIATION'S FREEDOM TO VIEW (Exhibit 3).

In accordance with these principles, the Manhattan Elwood Public Library District provides uncensored access to a broad range of materials and information. Parents and guardians are responsible for the reading, listening and viewing choices of their child.

### A. COLLECTION DEVELOPMENT POLICY

1. The criterion for selection of materials for collection is to make available materials ordinarily provided by libraries that will meet the educational, technological, informational, cultural and recreational interests and the needs of the people of the Manhattan-Elwood Public Library District. To fulfill this purpose, the Library endeavors to maintain a collection as such.
2. The Children's and Young Adult's collections are selected to provide pleasure, and, insofar as possible, to provide information in all fields of knowledge which are of interest to children. It is selected for children of all ages and abilities.
3. Materials which are no longer useful, in the light of stated objectives of the Library, will be systematically removed from the collection according to accepted professional practices.

## B. RECONSIDERATION OF MATERIALS

The Manhattan-Elwood Public Library District abides by the ALA's Freedom to Read (Exhibit 2) and Freedom to View (Exhibit 3) and therefore believes that, while an individual has the right to choose what he/she reads, he/she does not have the right to restrict what others are able to read or view. To that end, the Manhattan-Elwood Public Library District provides uncensored access to a broad range of materials and information. It is the responsibility of parents and/or legal guardians to monitor what their children are viewing.

Should a resident of the library district wish to file a complaint about library materials, they must fill out a Reconsideration of Materials Form. Materials will be reviewed by department managers and the library director. A written response will be delivered to the submitter. If they wish to appeal to the Board of Trustees, a written request must be made. All decisions by the Board of Trustees are final.

It shall be understood that the Manhattan-Elwood Public Library Board of Library Trustees, the Library Director, and the Library staff do not advocate all of the ideas presented in the collection.

## C. FREEDOM OF INFORMATION ACT (Exhibit 4)

1. You may request the information and the records available to the public in the following manner.

\*You may obtain a request form from Library staff.

\*Return the completed request form to the Library to the attention of the Library Director.

\*You must specify the records requested to be disclosed for inspection or to be copied. If you desire that any records be certified, you must specify which ones.

\*To reimburse us our actual costs for reproducing and certifying (if requested) the records, you will be charged the following fees: \$0.15 per page for employee copied records, \$0.25 per page for certification of records.

\*The office will respond to a written request within five (5) business days or sooner if possible. An extension may be necessary for reasons identified in the Act.

\*Records may be inspected or copied. If inspected, an employee must be present throughout the inspection.

\*You may appeal the decision of the Library Director to the Library Board of Trustees.

\*The place and times where the records will be available are during the Library's hours of operations.

2. Certain types of information maintained by us are exempt from inspection and copying. However, the following types or categories of records are maintained under our control:

\* Monthly Financial Statements

\* Annual Receipts and Disbursement Reports

\* Budget and Appropriation Ordinances

\* Levy Ordinances

\* Operating Budgets

\* Annual Audits

\* Minutes of the Library Board of Trustees

\* Library Policies, including Materials Selection

## D. CONFIDENTIALITY OF LIBRARY RECORDS

1. The Manhattan-Elwood Public Library strictly adheres to the Council of the American Library Association's (ALA) recommendation for confidentiality of library records including any records identifying the names of library users to be confidential in nature and extending to patrons visiting the library regardless of age. We protect each library user's right to privacy and confidentiality with respect to information sought or received and resources consulted, borrowed, acquired or transmitted regardless of the age of the patron.

2. Library employees understand that such records shall not be made available to any agency of state, federal or local government except pursuant to such process, order or subpoena as may be authorized under the authority of, and pursuant to, federal, state or local law relating to civil, criminal, or administrative discovery procedures or legislative powers.

3. Upon receipt of such process, order or subpoena, the Library Director will consult with the Library's legal counsel to determine if such a process, order or subpoena is in proper form and if there is a showing of good cause of its issuance; if the process, order or subpoena is not in proper form or if good cause has not been shown, they will insist that such defects be cured. (Adopted 7/24/06) -

4. In order to protect the privacy of all library patrons, regardless of age, patrons will not be summoned to the telephone. Library Staff will endeavor to locate the patron to give them a message but will not indicate to the caller whether or not the patron is on Library premises.

## E SEARCH WARRANT POLICY (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 a 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 could 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 the 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.)

## F. REFERENCE POLICY

The Manhattan-Elwood Public Library District serves a diverse public with unique individual needs and levels of ability to conduct research independently. At times of peak activity within the library, it is mandatory that rules for providing reference assistance be established. The most recent standard document, *Serving Our Public for Illinois Public Libraries*, provides the model for this reference policy.

The board of trustees and the library director of the Manhattan-Elwood Public Library District encourage staff of all levels to pursue continuing education opportunities which will enable them to better meet the needs of the library's patrons. All staff members receive in-house training regarding appropriate responses to patron questions, including reference questions. This training includes reference interviewing, techniques, reader's advisory service, and bibliographic instruction. All staff members are taught to treat each question with respect insofar as the level of assistance required and the topic of the question. Names of users and the transactions which occur between users and the staff are confidential and not discussed outside a professional context.

Reference service and materials are available to all persons even though they do not reside within the jurisdictional boundaries of the library regardless of the age, race, sex, social or economic status of the patron. Reference service and materials are available during all hours the library is open and are provided in response to all forms of inquiry but not limited to patrons in the library, the telephone, fax and email. The reference questions of the patrons visiting the library are given first priority. All requests for information receive an answer or status report within one working day. Questions may be answered using print and non-print sources, such as the internet, online databases, Virtual Reference Services, etc.

In the instance of legal, medical, investment, or tax reference questions, the staff may only guide the patron to the material available on the topic of interest. The staff may not evaluate or interpret the information provided nor may the staff define the meaning of terms, offer investment advice, select income tax forms or serve as a surrogate for a professional in any of the fields listed above. If all materials within the library are beyond the understanding of the patron, the patron will be advised to consult with their professional from the above listed fields for additional information or advice.

Reference materials regardless of format may not be removed from the library. (10/27/99, amended 4/19/04)

G. COMPUTER USERS AGREEMENT, INTERNET POLICY, ELECTRONIC NETWORKS, & WIRELESS ACCESS POLICIES

1. Computer/Internet Use Agreement

1. Computer users within the consortia must have a valid reciprocal library card and less than \$5 in outstanding fines. Those outside of the system must show some form of valid ID.
2. Patrons will have access to internet services for one continuous hour per day. Internet access needed for research maybe allowed more time per day. Library staff will verify all use and assign computer users in keeping with this policy.
3. Computer users shall demonstrate a working knowledge of computers similar to house owned and maintained by the library district. One on one instruction or group instruction by members of the public to patrons is not permitted.
4. Computer Users under 14 must have a parent or guardian sign a computer agreement at the library. Parents should be aware that library personnel does not monitor computer usages.
5. Children under the age of 11 may use the computer if they demonstrate a working knowledge of computers. A parent or guardian must be seated with the child at all times.
6. Staff will attempt to trouble shoot equipment problems only and will not provide training on individual programs to patrons.
7. Computer users are to use only the programs already installed and must supply their own method of data storage.
8. The use of the computer is subject to all library rules and regulations. In addition, tampering with the hardware, copying of copyrighted materials, and tampering with the printer are not permitted. Persons violating these rules will be barred from use of the computer.
9. The Manhattan-Elwood Public Library District, its staff and board makes NO GUARANTEES, with expressed or implied, as to the functioning of any computer equipment or program for any particular purpose. In no event shall the library be responsible for any loss of data, failure of equipment/programs to operate, damage to a Computer Users equipment, power failures, etc. Although we utilize checking software, this is not a guarantee that you will be completely protected from viruses.
10. Caution: Sites accessed may remain on the computer's hard drive thereby allowing access by subsequent users, negating your confidentiality.
11. Information obtained via the Internet may or may not be reliable and may or may not be obtained from a reliable source, may or may not be accurate, and may or may not be up to date
12. Links to information on the Internet may not always be valid and particular information sites on the internet may be sometimes unavailable, and this unavailability often occurs unpredictably.
13. Certain information obtained via the internet may be considered controversial by some library patrons.
14. Violations of this agreement by the signed user will result in disciplinary action, which may include permanent revocation of computer use at the Manhattan-Elwood Public Library.

The Manhattan-Elwood Public Library District urges library patrons to be informed consumers and carefully evaluate information obtained via the internet. Library staff may be available to assist patrons in making judgements about the reliability or currency of certain types of internet information sources, but are unable to provide definitive analysis of particular sources due to the extremely large variety and volume of information available via the internet.

The library is not responsible for damages, indirect or direct, arising from a library patron's use of internet information resources.

**INTERNET USERS MUST SIGN:**

1. I have read and understand the above Internet Use Agreement AND the Internet Use Policy.
2. I will abide by the provisions.
3. I agree to pay any repair or replacement costs of equipment or software damaged by myself or by minors for whom I am responsible.
4. I understand that copyright laws restrict duplication of copyrighted software and I will follow all copyright laws.
5. I understand that if I fail to abide the Manhattan-Elwood Public Library District's internet policies, I will lose eligibility for use of this service.
6. I understand and acknowledge that the internet contains material of a controversial nature including

pornography, obscenity, inflammatory or dangerous material, and that the Manhattan-Elwood Public Library District has no control over the internet and assumes no responsibility for the content, quality, accuracy, currency, or appropriateness of any internet resources.

\_\_\_\_\_  
Signature of Patron

\_\_\_\_\_  
Library Card Number

\_\_\_\_\_  
Date

For patrons under the age of 14

As the parent or guardian of \_\_\_\_\_ I give permission for my child to use the internet computers/Internet via wireless access at the Manhattan-Elwood Public Library District with the understanding that I am responsible for monitoring my child's appropriate use of this service, and that I am responsible for any damages that may occur, and that I have read, have understood and agree to the above statements.  
Parent or Guardian Signature:

\_\_\_\_\_  
Print Name and Relationship to Minor

\_\_\_\_\_  
Date:

## 2. Internet Use Policy

Use of the internet is a privilege, not a right, and inappropriate use will result in a cancellation of this privilege. Misuse or abuse of internet access computers or access via wireless connection will result in the suspension of internet access privileges. Patron are limited to one hour per day if there is no waiting list on internet computers with the exception of school related research.

The Manhattan-Elwood Public Library District assumes no responsibility for the use of the internet by children. The Library does not monitor, and has no control over the information accessed through the internet and cannot be held responsible for its content. Not all information available via the internet is accurate, current or complete. It is not possible for library staff to control specific information children or young adults may locate on the internet. Just as libraries do not espouse the viewpoints of written material in their collections, they do not do so for electronic information.

We do not condone, nor will tolerate using library computer resources to break any law (see Exhibits 10 and 11). Nor will we tolerate accessing and viewing sites which are obscene, lewd, lascivious, filthy or indecent. Not abiding by this rule will cause internet privileges to be revoked for three (3) months on a first offense. If a second offense occurs, privileges will be revoked for a longer period determined by the Library Director.

The Manhattan-Elwood Public Library District requires that library patrons using electronic information networks such as the internet do so within the guidelines of acceptable use. The following activities are unacceptable:

1. Use of electronic information networks for any purpose which results in the harassment of other users.
2. Destruction of, damage to, or unauthorized alteration of the library's computer equipment software or network security procedures,
3. Use of electronic information networks in any way which violates a Federal or State law,
4. Use of electronic information networks in any way which violates licensing and payment agreements between this library and network/database providers,
5. Unauthorized duplication of copy-protected software or violation of software license agreements,
6. Violation of system security
7. Behaving in a manner that is disruptive to other users, including but not limited to overuse of computer equipment which serves to deny access to other users.

## 3. Wireless Access Policy

The wireless internet access we offer is unfiltered. By choosing to use this free service, you agree to abide by the Library District's Internet Use Policy. This policy states the limitation of internet access, your responsibilities for using that access, and provides examples of acceptable and unacceptable uses.

The Library District's wireless network is not secure. Information sent to and from your (wireless device) may be captured by anyone else with a wireless device and the appropriate software.

Library staff is not able to provide technical assistance and no guarantee can be made that you will be able to make a wireless connection.

The Library District assumes no responsibility for the safety of equipment or for (a device's) configurations, security, or data files resulting from connection to the Library District's wireless access.

It is the policy of the Manhattan-Elwood Public Library District to provide free and equal access to our library resources and information. In order to protect the patron's right of access, ensure the safety of public and staff, and protect library resources and facilities, the Library District prohibits certain activities that in the judgement of management constitute unacceptable use of the library, as described in our Internet Use Policy.

4. Public Access to Electronic Information Networks (See Exhibit 5)

### III. LIBRARY USE REGULATIONS

#### A. GENERAL

The primary purpose of this Library is to provide library service to the residents of the Manhattan-Elwood Public Library District. Library service is also extended to residents of all other Library System members throughout the state

#### B. USE OF LIBRARY PROPERTY

The Manhattan-Elwood Public Library District does not allow selling, peddling; passing out materials including but not limited to pamphlets, survey, petitions; actions including but not limited to skateboarding, bike riding, playing, skating, etc. on Library property.

#### C. HOURS

1. It shall be the policy of this Library to remain open during such hours as best serve the needs of the community.
2. The library shall be closed to the public on the holidays of New Year's Eve Day, New Year's Day, Martin Luther King's Birthday, President's Day, Good Friday, Memorial Day, Independence Day (July 4), Labor Day, Veteran's Day, Thanksgiving Day, Friday after Thanksgiving, Christmas Eve Day, and Christmas Day when these days fall on regularly scheduled Library days. In the event that any one of the aforementioned holidays occurs on a Sunday or Monday, the holiday schedule may include either Saturday and/or Monday and if a Saturday, the holiday schedule may also include Monday as deemed appropriate by the Library Director. The Library will also be closed for in-service workshops.
3. The library may close or alter hours in the event of severe weather.

#### D. RESIDENTS

1. Upon proper application, including evidence of residence, any resident age 14 or over, who has proper identification, shall be issued a library card. This card entitles use of the facilities of the Library and to borrow materials under Library rules and regulations.
2. Upon proper application, children age 3 or older and whose application is co-signed by one parent or guardian shall be issued a library card. This card entitles the uncensored use of the facilities of the Library and to borrow materials under Library rules and regulations. Parents or guardians are responsible for the reading, listening and viewing choices of their children.

E. NON-RESIDENTS

1. The Manhattan-Elwood Public Library District participates in the non-resident card reciprocal borrowing program as provided in ILCS 16/30-55.60. The charge for a non-resident card is \$250.00 per household. The non-resident fee shall be reviewed and/or changed annually.
2. A teacher of students in the Manhattan-Elwood Public Library District who does not live in the Manhattan – Elwood Public Library District may be issued a library card without charge.
3. A non-resident who displays a current real estate tax receipt for property within the Manhattan-Elwood Public Library District may receive a library card without charge pursuant to statute (75 ILCS 16/30 55.60).
4. All employees of the Library are entitled to a Manhattan-Elwood Public Library District card.

F. BORROWING/LENDING

1. Manhattan-Elwood Public Library District Cardholders

- a. Most library materials not on the reference shelves may be borrowed for a period of two weeks and may be renewed unless there is a waiting list. DVDs, games and adult periodicals may be borrowed for a period of one week and may only be renewed by a staff over-ride if no one else is waiting for the item. A maximum of three DVDs and/or ten CDs may be checked out on a patron's card at any given time.
- b. Due to the high cost and demand of audio visual items, the Library has the discretion to limit the number of items checked out at any given time. Holds on all audio visual materials will be limited to 25 holds per patron card.
- c. Materials borrowed through interlibrary loan may have varying loan periods and must be returned by their due date. Patrons who have requested interlibrary loan items and have not picked them up within five days will be charged \$1.00 per item. There will be a 2 working-day grace period for overdue out-of-system inter-library loan materials, after which a fine of \$1.00 per day per item will be charged. Abuse of inter-library loan regulations may result in the loss of the privilege indefinitely. Patrons age 14 and over are encouraged to place their own holds. Library staff will assist those not willing to do so.
- d. Cardholders must be present whenever their library card is used.
- e. Materials shall not be checked out without a valid library card. Exceptions may be made by qualified staff.
- f. The Library accepts a responsibility for securing information beyond its system's resources by borrowing materials which cannot be purchased, or materials for which the demand does not justify purchase, from sources out-of-system or out-of- state. The requesting patron will be charged \$3.00 for every out-of-state inter-library loan item received in order to cover shipping costs. The requesting patron will also be responsible for any costs that might be incurred in securing the items for them such as, borrowing fees, faxes, etc.
- g. Staff-initiated requests for out-of-system inter-library loans will be provided to all reciprocal borrowers, regardless of whether they hold a Manhattan-Elwood Public Library District card or not. However, in times of high demand, those patrons who hold a library card from another library or another library system may experience a longer fulfillment time for their out-of-system inter-library loans.
- h. Pre-loaded E-readers are available for check-out to patrons age 14 and older after a usage agreement has been signed. (Exhibit 12)

2. Borrowing Libraries (Inter-Library Loan)

- a. New audio visual materials, at the discretion of the Library Director and/or Department Managers, and in accordance with the library system automation regulations, may remain exclusively ours for a period of not more than three months thereby making them not available for inter-library loan.
- b. We reserve the right to restrict special display/programming materials for inter-library loan regardless of the item's age or "Location" in the computer.

- c. Reference materials and any other non-circulating materials will not be circulated for an inter-library loan request. Photocopies may be sent at the judgment of staff and in keeping with copyright law.
  - d. No items six (6) months or newer will be loaned to an Online Computer Library Center (OCLC) request.
  - e. Requests made by fax, mail, email, or phone for material which is currently checked out will not be kept on file to be fulfilled at a later date; requests will need to be resubmitted.
  - f. Microfilm will not be sent out of the library. Photocopy requests will be processed within 5-7 working days.
  - g. AV materials will be sent out-of-state only on a limited basis for checkout time and at the discretion of the Staff.
  - h. Periodicals will be loaned, but will only be loaned for one week with no renewals. New periodicals will be loaned at the discretion of the Circulation Manager.
  - i. In-state loans for an out-of-system request will be made for 4 weeks; out-of-state loans will be made for 5 weeks.
  - j. Renewals will be granted on a case-by-case basis at the discretion of staff. If granted, a renewal will be for 2 weeks, with a maximum of 1 renewal allowed.
3. Genealogy Searches – A patron will be given a general assessment of a genealogy search question which utilize resources immediately available within 2 business days, Monday through Thursday.

#### G. FEES, FINES, AND CHARGES

1. Fees, fines, and charges shall be determined accordingly for materials and services available at and through the Library. Fines shall be applicable for only the days the Library is open. Materials borrowed via any mechanism are the responsibility of the library patron. Original cost plus a processing fee is the responsibility of any patron who borrows and loses or damages any Library material. In the case of children under the age of 18, it is the parents' responsibility to pay.
2. Claims returned are items that the library has not received but the patron claims that they have been returned. A maximum of 4 claims returned items are allowed per library card. Once that threshold has been reached, the patron will be charged for any subsequent items that are not returned.
3. We reserve the right to put a block on patron cards with accrued fees, fines, or charges of \$5.00 or more, as well as those who have signed as responsible parties. Patrons whose cards have been blocked may not participate in Library programs. All Library fines must be paid in full to use the public access computers or to have exams proctored. Library privileges will resume when fines are paid in full.
4. Patrons who have demonstrated wanton disregard for library materials and/or equipment may have their borrowing/usage privileges revoked for a period of not less than six months from the time that restitution is made. Reinstatement of library privileges may resume upon submission of a request for reinstatement and review by the Library Director.
5. The Library reserves the right to charge a refundable fee to Library patrons, as determined by program type, for program registration. This fee will be charged to ensure that patrons who register for programs make an effort to attend. If the patron does not show-up for a program in which they have enrolled, the fee will be forfeited to the Library in its entirety as recompense. Patrons who attend the programs for which they have given a refundable fee will be able to recoup the fee upon attendance to the program.
6. Fees, fines, and charges shall be reviewed a minimum of once a year by the Library Director and adopted by the Board to take effect at the beginning of the fiscal year.
7. We reserve the right to check for counterfeit bills, as the Library Staff deems necessary. In the event that a counterfeit bill is detected, the Manhattan Police Department will be notified and appropriate action will be

taken.

8. At the discretion of the Library Director overdue fines in excess of \$10.00 will be turned over to an agency for collection. Attorney and collection agency's fees will be added to the total amount of the fees owed by the delinquent patron.

9. The Manhattan-Elwood Public Library District will charge a flat fee of \$15.00 to proctor an exam for both residents and non-residents in the Library District.

#### H. DAMAGED MATERIALS POLICY

Patrons shall be liable for the cost of a damaged item or the item's packaging except where such damage is the result of normal wear and tear. Items that are damaged beyond repair and can no longer circulate are considered damaged items. Staff members regularly inspect circulating items at check-in to note damage or identify repairs that are needed. Damage is assessed at the discretion of the Circulation Manager. The following conditions do not constitute normal wear and may result in charges:

- Wet or liquid damaged books
- Stains
- Torn or chewed pages/covers
- Scratched or broken media items
- Missing parts of sets
- Missing pages or covers
- Writing, coloring or highlighting

Any items that is being charged for replacement will be charged the full retail price plus a \$5 processing fee. Patrons may NOT purchase a replacement copy. Once the item has been paid for, it will be given to the patron.

The policy outlined above applies to items owned by the Manhattan-Elwood Public Library only. If an item is damaged that belongs to another library, it is at the discretion of the owning library whether or not to charge for replacement.

#### I. LIBRARY USE OF PHOTOGRAPHY

The library may take photographs in the public areas of the library to be used in the promotion of the library or its programs and services through print materials, website, or social media. No names or other identifying information will be used with the photographs. If photographing a single person, library staff must get verbal consent from that person or that person's parent to use the photograph in library publicity. Any person has the opportunity to decline being photographed and staff will honor that request.

#### IV. EQUIPMENT USE

The following equipment is for in-library use only with these specific requirements:

##### A. PUBLIC USE COMPUTERS

1. Fees will be posted.
2. Patron must have a valid public library card or ID
3. Patron may not have fees exceeding \$5.00
4. Patron must be able to demonstrate knowledge of using a computer.
5. Computer Users Agreement must be signed at the Library by adults for their use and by adults/guardians for student use.
6. Patrons will be held accountable for all posted rules and fees.
7. Computer Users Agreement must be signed at the Library by patrons 14 and older for their use and by parents/guardians for student use under age 14.
8. Patrons may be limited to one hour per day on Internet computers with the exception of research.
9. See Sexual Predators and Library Internet Services (Exhibit 10)
10. Adults may not use the computers in the Youth Services Department unless accompanied by a child
11. Computers in the Youth Services Department are exclusively reserved for children, teens and their accompanying parent.
12. Computers in the Adult Department are reserved for anyone over the age of 14.

##### B. FAX MACHINE

1. Fees will be posted.
2. Staff members will operate the fax unit for patrons.

C. TYPEWRITER, MICROFILM MACHINE, AND PHOTOCOPY MACHINE

1. Fees will be posted.
2. Supplies will not be provided for the typewriter.

V. UNACCEPTABLE/DISRUPTIVE BEHAVIOR

A. The Manhattan-Elwood Public Library District accepts the responsibility for maintaining order and safety on Library property. The Library does not permit behavior which is incompatible with the use of the Library. The Library prohibits the following conduct on its premises. Behaviors not permitted include, but are not limited to the following:

- Soliciting Library patron or staff for donations, purchase, etc.
- Buying or selling goods or services of any kind
- Passing petitions to Library patrons, conducting unauthorized surveys, distributing pamphlets, or other materials directly to Library patrons or staff
- Using ipods, mp3 players or other sound generating devices
- Creating excessive noise
- Using threatening, intimidating, or abusive language
- Abusing or intimidating Library staff or patrons
- Sexual harassment
- Overt signs of substance abuse, including drunkenness
- Overt sexual behavior
- Bringing weapons, simulated or real, into any Library facility
- Using skateboards, skates or roller blades
- Fighting or other rowdy behavior
- Loitering is strictly prohibited in or on Library premises.
- Use of Voice communication devices (i.e. cell phones, walkie-talkies, etc.)

A patron who engages in any activity which disrupts the use of Library facilities, collections, and services by patrons or disrupts the ability of the staff to perform its duties shall cease such activity immediately upon request by Library personnel.

If, following a request, the patron fails or refuses to comply or responds to the request in an abusive fashion, they will be required to leave the Library premises immediately for the balance of that calendar day. If they fail to leave, the police will be summoned and Library privileges will be suspended.

In order to provide an optimum environment for using the Library, patrons are asked to conduct cell phone or other voice communication device conversations in the entryway and turn off ringers while in the Library. Users who fail to adhere to this policy will be asked to leave the Library. Repeat abusers may be subjected to loss of Library privileges.

B. Policy on Carrying Guns - The Manhattan-Elwood Public Library District follows Illinois State Law which prohibits the carrying of any weapon concealed or partially concealed, in the library building or on library property. In conformance with State Statute, the Library will post at all entrances to the building, driveways and parking areas of the Library the required signs as approved by the State Police. Any violators will be reported to law enforcement and prosecuted to the fullest extent of the law.

VI. UNATTENDED CHILDREN

The Library will establish the limits of its responsibility for unattended and/or disruptive children.

- A. Preschool children may not be left unattended in the Library.
- B. Disruptive school age children will be asked to leave if after one warning the behavior has not been altered; parents will be called and asked to pick up the child. Police may be called if parents are unavailable.
- C. If the Library is closing and an unattended child is left at the Library without transport home, the Library Staff will remain with the child until appropriate arrangements can be made. If parents or an appropriate adult cannot

be reached, police will be called and the child will be placed in their care. Under no circumstances will a child be transported by a Staff Member.

## VII. MEETINGS

### A. Policies/Regulations for Public Use of Meeting Room

#### **Policies:**

The meeting room is available for use by civic, educational, and cultural groups within the Library's jurisdiction. This accommodation is an additional service available under conditions set by the Library Board of Trustees. Library activities and programs will have priority when requests for the room are made. Permission to use the meeting room will not be granted for personal use by individuals or profitable businesses. A non-library authorized program does not constitute points of view expressed by participants in the program.

#### **Regulations:**

1. Applications from organizations for the use of the meeting room are to be made 2 weeks prior to requested date. Requests will be granted by the Library Director in the order in which they are received. The Library Director reserves the right to review, accept, or deny any or all applications without reason given.
2. Person submitting application will be responsible for meeting room regulations as specified. Applicant will be responsible for discipline and reasonable care of the room and furnishings and will pay for any damage(s) incurred.
3. **The meeting room will be available ONLY during regular library hours. Room must be vacated at least 15 minutes prior to closing.**
4. Only light refreshments may be served, such as desserts, coffee, tea, or cold drinks, which must be served in disposable dishes. No alcoholic beverages will be allowed.
5. The library is not responsible for equipment, supplies, or other items owned by a group or individual and used in the library. All items used during reserved time must be removed from the library at the conclusion of the program.
6. The room is to be left in an orderly condition, with all garbage and clutter caused by activities being removed. The Library reserves the right to charge a fee if special janitorial services are required.
7. All programs must be open to the public.
8. Groups of high school age and under must be sponsored and their meeting attended by an adult.
9. Any person or group not complying with any of the above regulations will forfeit any further use of the library building facilities.
10. No smoking is allowed in any area of the library.
11. A security deposit may be required at the discretion of the Library Director.
12. The use of cooking, heating or crafting elements with a heating element is prohibited.
13. Any person or group not complying with any of the above regulations will forfeit any further use of the Library building facilities.

## IX. EXHIBITS

1. Due to limited space availability, bulletin board postings in the Library's entryway will not be accepted.

## X. SEXUAL HARASSMENT

Sexual harassment is a violation of Title VII of the Civil Rights Act of 1964 and Civil Rights Act of 1991, as well as of state discrimination laws and municipal statutes and will not be tolerated. (Exhibit 6)

## XI. LIBRARY BOARD DUTIES AND RESPONSIBILITIES

1. The Board is the legal policy-making body.

2. The Board shall encourage improved public relations.
3. The Board shall lead the way in maintaining an ample budget which will enable the Library to meet its ever-increasing needs for service. It shall also be responsible for the administration of the budget.

XII. DONATIONS AND SPECIAL COLLECTIONS TO THE MANHATTAN-ELWOOD PUBLIC LIBRARY DISTRICT

The Library welcomes gifts of books and other materials. Such gifts may be added to the collection in accordance with the standards ordinarily used by the Library in selection of materials and with the understanding of the donor that items may be sold in the Library's book sale or will be disposed of under the purview of the Library Director.

The Library also welcomes monetary gifts, bequests, memorials as long as their use is not restricted by conditions which would conflict with the standard practices and policies of the Library.

When the Library receives a cash gift for the purchase of memorials, tributes, or other materials, the selection may be made by the donor or the Library Director within the subject area requested. The general nature of the book, or its subject area may be based upon the interest of the deceased or donor, and the needs of the Library.

Gifts of books that shall be considered 'In Memorials' or 'Honorariums' will be accepted at any time. Other gift donations, which shall include used materials or books, shall be accepted as prescribed by a schedule developed at the discretion of the Library Director.

Records of memorial or honorarium gifts will be maintained. Gift books will be shelved with the regular collection until the time of withdrawal if necessary. Special provision is made to label honorariums, memorials, or bequests.

Special collections, such as historical materials, books having more than literary value, or manuscripts, will be accepted by the Library only if provisions can be made for their use.

XIII. DONATIONS FROM THE MANHATTAN-ELWOOD PUBLIC LIBRARY DISTRICT

The Library is a taxing body and receives its income from property taxes to be spent to benefit the residents who live in the Library District. The Library may donate to organizations within the Library District if such donations further the Library's mission. The Library may also offer fines and fees amnesty programs in an effort to support local causes.

XIV. ETHICS ACT

The Manhattan-Elwood Public Library District abides by its Ethic Acts Ordinance (Exhibit 7).

XV. PUBLIC RELATIONS

It shall be the responsibility of the Library Board of Trustees and the Library Director to encourage and implement sound public relations policies with the community, individual citizens, civic groups, organizations, schools, and public officials.

A. OBJECTIVES

1. To encourage and promote the use of the Library and its services.
2. To maintain and insist upon high standards of personnel performance.
3. To initiate co-operation with community organizations and individuals.
4. To keep the Library Director and staff informed of community trends and interests.
5. To present the Library to the public and to actively work toward the attainment of public support of the Library.
6. To be constantly concerned about and strive to create favorable public opinion.

B. POLICIES

1. Responsibility for representing the Library to the press rests solely with the Library Director. No other employee may act as spokesman for the Library unless specifically delegated by the Library Director.
2. Feature stories, news events, or other information for publication should be released by the Library Director.
3. Personnel associated with the Library will, as public servants, be friendly and courteous and will conduct themselves in such manner as reflects credit to the Library.
4. Constant and consistent communication with the local newspaper and other mass media should be made.
5. Advantage should be taken of all newsworthy events to create favorable publicity for the Library.
6. Acknowledgment of gifts should be made promptly and publicized when appropriate. Attempts may be made to invite contributions.
7. Maximum use of Library facilities and services should be encouraged, consistent with operating limitations.

XVII. PERSONNEL POLICIES

A. PERSONNEL POLICIES- (See Personal Policy Manual)

B. IMMIGRATION COMPLIANCE

The Manhattan-Elwood Public Library District complies with the requirements of immigration laws.

XVIII. PUBLIC LIBRARY/SCHOOL LIBRARY RELATIONS

A. GENERAL

The Manhattan-Elwood Public Library District is aware of the important role a public library plays in serving school children. Within the limits dictated by the responsibility of the public library to serve the full community, the Library considers such services among its most important functions. The public library encourages the development of adequate school library facilities and tries to provide a selection of literature and reference materials which will supplement rather than duplicate those offered by the schools.

B. SPECIFIC SERVICES

1. Within the resources of the collection, loans to teachers may be arranged. These may be kept for classroom use for a period of four to six weeks.
2. The Library will accommodate visits of classroom groups to the Library. Such visits should be scheduled one week in advance. It is suggested that the teacher concerned consult the Library for instructional materials available to aid in planning a visit. A teacher must be present at all times.
3. Teachers are encouraged to alert the Library two weeks in advance of assignments requiring Library assistance.

XVIX. VOLUNTEERS

The Manhattan-Elwood Public Library District recognizes and appreciates the hard work and unique talents the volunteers of the district offer to the Manhattan-Elwood Public Library District throughout the year. All work performed by volunteers is done without compensation and at the risk of the volunteer. The library does not carry insurance which protects the volunteer in the case of accidental injury.

XX. IDENTITY PROTECTION ACT POLICY

(See Identity Protection Act Exhibits 8 and 9.)

Amended and Adopted 4-93  
Amended 12-94  
Amended 11-95  
Amended 3-96  
Amended 10-96  
Amended 2-97  
Amended 12-98  
Amended 9-99  
Amended 4-00  
Amended 8-23-00

Amended 4-19-04  
Adopted 4-26-04  
Amended 7-25-05  
Amended 7-24-06  
Amended 7-23-07  
Amended 8-25-08  
Amended 6-22-09  
Amended 3-28-11  
Amended 6-25-12  
Amended 6-24-13

Amended 7-28-14  
Amended 4-25-16  
Amended 9-26-16

**LIBRARY BILL OF RIGHTS**

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

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

## **FREEDOM TO READ**

The freedom to read is essential to our democracy. It is continuously under attack. Private groups and public authorities in various parts of the country are working to remove or limit access to reading materials, to censor content in schools, to label "controversial" views, to distribute lists of "objectionable" books or authors, and to purge libraries. These actions apparently rise from a view that our national tradition of free expression is no longer valid; that censorship and suppression are needed to 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.

**FREEDOM TO VIEW STATEMENT**

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

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



## **PUBLIC ACCESS TO ELECTRONIC INFORMATION NETWORKS**

### **MANHATTAN-ELWOOD PUBLIC LIBRARY DISTRICT**

#### **Electronic Networks and the Library's Mission**

Libraries make it possible for citizens to have access to the information they need to make informed decisions. As a member of the Illinois Library and Information Network (ILLINOET), the Manhattan-Elwood Public Library District is committed to networking, which represents good public policy by maximizing the use of resources of all types of libraries. Every library user benefits from expanded access to information beyond the four walls of a single library building.

The Manhattan-Elwood Public Library District and all ILLINET libraries use electronic information networks such as the Internet for a variety of purposes:

1. Access to shared automation systems that provide bibliographic access to the collections of the local library and libraries in the region and across the states.
2. Access to the wealth of information resources available via the internet.
3. Access to general and specialized shared licensed databases available to ILLINET member libraries through regional and statewide cooperative programs.

Internet electronic mail service is available to patrons in libraries that elect to offer this service. In many areas of Illinois, regional community information networks are operation and offer library patrons access to internet electronic mail and related services.

#### **Relationship to Other Library Policies**

The Manhattan-Elwood Public Library District's Policy for Access to Electronic Information Networks is part of the library's overall policy structure and should be interpreted in conjunction with other existing policies. Copies of all library policies are available upon request from the Library Director.

#### **"Global" versus "Local" Resources**

Most resources available via the internet and other electronic information networks are "global" resources rather than "local" resources. The library does not and cannot control the information content available through global resources such as information obtained from outside sources via the internet. Internet resources enhance and supplement resources that are available locally within the library. Library users must be aware that his library does not exercised control over information obtained via the internet and must keep in mind the following points when evaluating information obtained via the internet:

1. Information obtained via the internet may or may not be reliable and may or may not be obtained from a reliable source.

2. Information obtained via the internet may or may not be accurate.
3. Information obtained via the internet may or may not be current and up to date.
4. Links to information on the internet may sometimes be unavailable, and this unavailability often occurs unpredictably.
5. Certain information obtained via the internet may be considered controversial by some library patrons.

The Manhattan-Elwood Public Library District urges library patrons to be informed consumers and carefully evaluate information obtained via the internet. Library staff may be available to assist patrons in making judgements about the reliability or currency of certain types of internet information sources, but are unable to provide definitive analysis of particular sources due to the extremely large variety and volume of information available via the internet.

The library is not responsible for damages, indirect or direct, arising from a library patron's use of internet information resources.

### **Library Patrons' Rights**

Library patrons have certain rights with respect to use of electronic information networks such as the internet. This library will work with other libraries. This library will work with other libraries in the Illinois Library and Information Network to preserve and protect these rights, subject to limitations imposed by licensing and payment agreements with database providers.

Library patrons have the right to confidentiality and privacy in the use of electronic information networks to the extent possible given certain constraints, such as proximity of other patrons and staff in public access settings. Caution: Sites accessed may remain on the computer's hard drive thereby allowing access by subsequent users negating your confidentiality.

Library patrons have the right to equitable access to electronic information networks.

Library patrons have the right to access and read all library service policies and discuss questions with appropriate library staff.

### **Patron Assistance and Instruction**

The Manhattan-Elwood Public Library District staff may provide assistance to patrons in the use of electronic information networks as time and staff knowledge permits.

### **Use of Equipment and Networks**

The Manhattan-Elwood Public Library District requires that library patrons using electronic information networks such as the Internet do so within the guidelines of acceptable use. The following activities are unacceptable:

1. Use of electronic information networks for any purpose which results in the harassment of other users,
2. Destruction of, damage to, or unauthorized alteration of the library's computer equipment software or network security procedures,

3. Use of electronic information networks in any way which violates a Federal or State law,
4. Use of electronic information networks in any way which violates licensing and payment agreements between (this library) and network/database providers,
5. Unauthorized duplication of copy protected software or violation of software license agreement,
6. Violation of system security,
7. Behaving in a manner that is disruptive to other users, including but not limited to overuse of computer equipment which serves to deny access to other users.

### **Children's Access to Electronic Information Networks**

The Manhattan-Elwood Public Library District supports the right of all library users to access information and will not deny access to electronic information networks based solely on age.

The library recognizes that the electronic information networks such as the internet may contain material that is inappropriate for children. Parents are expected to monitor and supervise their children's use. Library staff are unable to monitor children's use. Parents are encouraged to discuss with their children issues of appropriate use and electronic information network safely.

This library has developed certain procedures to assist staff and patrons in the use of electronic information resources. These procedures include (but are not necessarily limited to the following):

1. Time limits for access to allow use of resources by the maximum number of library patrons.
2. Cost recovery for printouts using the library's computer equipment.
3. Specific instructions for downloading including compliance with virus protection measures,
4. Restriction on the use of personal software on library computer equipment.
5. A registration and use agreement form which must be completed prior to usage.

### **Breach of Policy**

Violation of any aspect of this policy may result in the loss of library privileges.

## **SEXUAL HARASSMENT**

The Equal Employment Opportunity Commission (EEOC) defines sexual harassment as:

Sexual harassment is unwelcome sexual advances, requests for sexual favors, or verbal or physical contact of a sexual nature when:

1. Submission to such conduct is either implied or stated to be a term or condition of employment or a factor in the evaluation of the employee's performance, salary, promotability, or any other component of employment.
2. Such conduct interferes, either directly or indirectly, with an employee's work performance by creating a hostile, offensive, or intimidating working environment.

Verbal harassment is sexually vulgar language, jokes of an offensive sexual nature, sexual propositions or threats, remarks about an individual's anatomy, or derogatory comments about gender.

Nonverbal harassment is distribution of written or graphic sexual materials, sexually oriented magazines or posters, displays of nude pictures, or other words or depictions of a sexual nature.

Physical harassment is touching in a sexual manner or invading personal privacy or threats to take such actions.

If an employee believed that he or she has been sexually harassed by another employee or some other person who either represents the library or is doing business with the library, the employee should take the following action:

1. Tell the offending individual(s) to stop the harassment. State your objection to the specific behavior that you considered harassment. Have a witness present if possible. Also note the time and date of the discussion and write a summary of what you said and how the offender responded. If you would be uncomfortable with a confrontation, state your objection noting the specific behavior in writing forwarding this to the offender. Keep a copy for your records. In any sexual harassment case, documentation will help support contentions of harassment. Keep a log of the specifics, actions, and results. Record dates, times and witnesses. Keep copies of any notes and/or correspondence.

2. If the first step does not resolve the problem or if fear of reprisals will result from the complaint, inform your immediate supervisor. All complaints will be handled in a timely fashion. Your complaint and all the details of the investigation will be treated as discreetly as possible. The library will attempt to do the utmost to protect the privacy of the complainant and will also attempt to do the utmost to protect the privacy of the complainant and will also attempt to protect the integrity of anyone who may have been wrongfully accused. Details of the investigation will be released only in the event of a court proceeding.

If an employee feels that legal recourse should be taken, contact should be made with the Department of Human Rights in Chicago.

\*A complaint must be filed within 180 days of the date you claim the harassment took place.

\* You are protected in your right to make a claim or cooperate with an investigation.

\* The department of Human Rights is responsible for the investigation and should either dismiss the charge or file a complaint with the Illinois Human Rights Commission.

\* If the Department of Human Rights neither dismisses the claim nor files a complaint with the Illinois Human Rights Commission within 300 days of filing, you may seek a public hearing from the Human Rights Commission. You must do so within 30 days after the 300<sup>th</sup> day expires.

\* A charge filed with the Illinois Department of Human Rights is also filed with the Federal Equal Employment Opportunity Commission.

\*Complaints filed with the Illinois Human Rights Commission are assigned to an Administrative Law Judge.

\* Following a hearing, the Administrative Law Judge will recommend a finding to a three member panel of the Human Rights Commission.

\*The Human Rights Commission may order the respondent to cease and desist, pay damages, hire, reinstate, promote, pay back-pay, pay fringe benefits, and/or pay Attorney's fees and costs in order to remedy a finding in favor of the complainant.

\*The Human Rights Commission may be appealed by either party to the Illinois Appellate Court within 35 days of the order.

\*Orders of the Human Rights Commission are enforceable in Illinois court.

You may contact State or Federal government agencies as follows:

Illinois Dept. of Human Rights  
100 West Randolph Street, Suite 10-100  
Chicago, IL 60601  
312-814-6200

Or  
222 South College, Floor 1  
Springfield, IL 62704  
217-785-5100

Illinois Human Rights Commissions  
100 West Randolph Street, Suite 5-100  
Chicago, IL 60601  
312-814-6269

Or

Stratton Office Building, Suite 40  
Springfield, IL 62706  
217-785-4350  
Federal Equal Employment Opportunity Commission  
536 South Clark Street, 9<sup>th</sup> Floor  
Chicago, IL 60605  
312-353-2713

It is unlawful to retaliate in any way against anyone who has complained about sexual harassment or discrimination.

**ETHICS ACT**

**MANHATTAN-ELWOOD PUBLIC LIBRARY DISTRICT**

**ARTICLE I – DEFINITIONS**

Section 1-1 The following terms shall be given these definitions:

“Campaign for elective office” means any activity in furtherance of an effort to influence the selection, nomination, election, or appointment of any individual to any federal, state or local public office or office a political organization, or the selection, nomination, or lection of Presidential or Vice-Presidential electors, but does not include activities, (i) relating to the support or opposition of any executive, legislative, or administrative action, (ii) relating to collective bargaining, or (iii) that are otherwise in furtherance of the person’s official duties.

“Candidate” means a person who has filed nominating papers or petitions for nomination or election to an elected office, or who has been appointed to fill a vacancy in nomination, and who remains eligible for placement on the ballot at a regular election, as defined in Section 1-3 of the Election Code (10 ILCS 5/1-3)

“Collective bargaining” has the same meaning as that term is defined in Section 3 of the Illinois Public Labor Relations Act (5 ILCS 315/3).

“Compensated time” means, with respect to an employee, any time worked by or credited to the employee that counts towards any minimum work time requirement imposed as a condition of his or her employment, but for purposed of this Ordinance, does not include any designated holidays, vacation period, personal time, compensatory time off or any period when the employee is on leave of absence. With respect to officers or employees whose hours are not fixed, “compensated time” includes any period of time when the officer is on premised under the control of the employer and any other time when the officer or employee is executing his or her official duties, regardless of location.

“Compensatory time off” means authorized time off earned by or awarded to an employee to compensate in whole or in part for time worked in excess of the minimum work time required of that employee as a condition of his or her employment.

“Contribution” has the same meaning as that term is defined in section 9-1.4 of the Election Code (10 ILCS 5/9-1.4)

“Employee” means a person employed by the Manhattan-Elwood Public Library District whether on a full time or part-time basis or pursuant to a contract. Whose duties are subject to the direction and control of an employer with regard to the material details of how the work is to be performed, but does not include an independent contractor.

“Employer” means the Manhattan-Elwood Public Library District.

“Gift” means any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to, cash, food and drink, and honoraria for speaking engagements related to or attributable to government employment or the official position of an officer or employee.

“Leave of absence” means any period during which an employee does not receive (i) compensation for employment, (ii) service credit towards pension benefits, and (iii) health insurance benefits paid for by the employer.

“Officer” means a person who holds, by election or appointment, an office created by statute or ordinance, regardless of whether the officer is compensated for service in his or her official capacity.

“Political activity” means any activity in support of or in connection with any campaign for elective office or any political organization, but does not include activities (i) relating to the support or opposition of any executive, legislative, or administrative action, (ii) relating to collective bargaining, or (iii) that are otherwise in furtherance of the person’s official duties.

“Political organization” means a party, committee, association, fund, or other organization (whether or not incorporated\_ that is required to file a statement of organization with the State Board of Election or a county clerk under Section 9-3 of the Election Code (10 ILCS 5/9-3), but only with regard to those activities that require filing with the State Board of Elections or a county clerk.

“Prohibited political activity” means:

(1) Preparing for, organizing, or participating in any political meeting, political rally, political demonstration, or other political event.

(2) Soliciting contributions, including but not limited to the purchase of, selling, distributing, or receiving payment for tickets for any political fundraiser, political meeting, or other political event.

(3) Soliciting, planning the solicitation of, or preparing any document or report regarding anything of value intended as a campaign contribution.

(4) Planning, conducting, or participating in a public opinion poll in connection with a campaign for elective office or on behalf of a political organization for purposes or for or against any referendum question.

(5) Surveying or gathering information from potential or actual voters in an election to determine probable vote outcome in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.

(6) Assisting at the polls on Election Day on behalf of any political organization or candidate for elective office or for or against any referendum question.

(7) Soliciting votes on behalf of a candidate for elective office or a political organization or for or against any referendum question or helping in an effort to get voters to the polls.

(8) Initiating for circulation, preparing, circulating, reviewing, or filing any petition on behalf of a candidate for elective office or for or against referendum question.

(9) Making contributions on behalf of any candidate for elective office in that capacity or in connection with a campaign for elective offices.

(10) Preparing or reviewing responses to candidate questionnaires.

(11) Distributing, preparing for distribution, or mailing campaign literature, campaign signs, or other campaign material on behalf of any candidate for elective office or for or against any referendum question.

(12) Campaigning for any elective office or for or against any referendum question.

(13) Managing or working on a campaign for elective office or for or against any referendum question.

(14) Serving as a delegate, alternate, or proxy to a political party convention.

(15) Participating in any recount or challenge to the outcome of any election.

“Prohibited source” means any person or entity who:

(1) is seeking official action (i) by an officer or (ii) by an employee, or by the officer or another employee directing that employee;

(2) does business or seeks to do business (i) with the officer or with an employee, or with the office or another employee directing that employee;

(3) conducts activities regulated (i) by the officer or (ii) by an employee, or by the officer or another employee directing that employee; or

(4) has interests that may be substantially affected by the performance or non-performance of the official duties of the officer or employee.

#### ARTICLE 5 \_ PROHIBITED POLITICAL ACTIVITIES

Section 5-1. Prohibited political activities (a) No officer or employee shall intentionally perform any prohibited political activity during any compensated time, as defined herein. No officer or employee shall intentionally use any property or resources of the Manhattan-Elwood Public Library District in connection with any prohibited political activity.

(b) At no time shall any officer or employee intentionally require any other officer or employee to perform any prohibited political activity (i) as part of that officer or employee’s duties, (ii) as a condition of employment, or (iii) during any compensated time off (such as holidays, vacation, or personal time off).

(c) No officer or employee shall be required at any time to participate in any prohibited political activity in consideration for that officer or employee being awarded additional compensation or any benefit, whether in form of a salary adjustment, bonus, compensatory time off, continued employment or otherwise, nor shall any officer or employee be awarded additional compensation or any benefit in consideration for his or her participation in any prohibited political activity.

(d) Nothing in this section prohibits activities that are permissible for an officer or employee to engage in as part of his/her official duties, or activities that are undertaken by an officer or employee on a voluntary basis which are not prohibited by this ordinance,

(e) No person either (i) in a position that is subject to recognized merit principles of public employment or (ii) in a position the salary for which is paid in whole or in part by federal funds and that is subject to the Federal Standards or a Merit System of

Personnel Administration applicable to grant-in-aid programs, shall be denied or deprived of employment or tenure solely because he or she is a member or an officer of a political committee, of a political party, or of a political organization or club.

## ARTICLE 10- GIFT BAN

Section 10-1 Gift Ban. Except as permitted by this Article, no officer or employee, and no spouse of or immediate family member living with any officer or employee (collectively referred to herein as “recipients”), shall intentionally solicit or accept any gift from any prohibited source, as defined herein, or which is otherwise prohibited by law or ordinance. No prohibited source shall intentionally offer or make a gift that violates this section.

Section 10-2. Exceptions. Section 10-1 is not applicable to the following:

- (1) Opportunities, benefits, and services that are available on the same conditions as for the general public.
- (2) Anything for which the officer or employees, or his or her spouse or immediate family member, pays the fair market value.
- (3) Any (i) contribution that is lawfully made under the Election Code or (ii) activities associated with a fundraising event in support of a political organization or candidate.
- (4) Education materials and missions
- (5) Travel expenses for a meeting to discuss business
- (6) A gift from a relative, meaning those people related to the individual as father, mother, son, daughter, brother, sister, uncle, aunt, great aunt, great uncle, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, half-sister, and including the father, mother, grandfather, or grandmother of the individual’s spouse, and the individual’s fiancé or fiancée.
- (7) Anything provided by an individual on the basis of a personal friendship unless the recipient has reason to believe that, under the circumstances, the gift was provided because of the official position or employment of the recipient or his or her spouse or immediate family member and not because of the personal friendship. In determining whether a gift is provided on the basis of personal friendship, the recipient shall consider the circumstances under which the gift was offered, such as: (i) the history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between those individuals; (ii) whether to the actual knowledge of the recipient the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift; and (iii) whether to the actual knowledge of the recipient the individual who gave the gift also at the same time gave the same or similar to other officers or employees, or their spouses or immediate family members.
- (8) Food or refreshment not exceeding \$75 per person in value on a single calendar day; provided that the food or refreshments are (i) consumed on the premises from which they were purchased or prepared or (ii) catered. For the purposes of this Section, “catered” means food or refreshments that are purchased ready to consume which are delivered by any means.
- (9) Food, refreshments, lodging, transportation, and other benefits resulting from outside business or employment activities (or outside activities that are not connected to the official duties of an officer or employee), if the benefits have not been offered or

enhanced because of the official position or employment of the officer or employees, and are customarily provided to others in similar circumstances.

(10) Intra-governmental and inter-governmental gifts. For the purpose of this Act, “intra-governmental gift” means any gift given to an officer or employee from another officer or employee, and “inter-governmental gift” means any gift given to an officer or employee by an officer or employee of another governmental entity.

(11) Bequests, inheritances, and other transfers at death.

(12) Any item or items from any one prohibited source during any calendar year having a cumulative total value of less than \$100.

Each of the exceptions listed in this Section is mutually exclusive and independent of every other.

Section 10-3. Disposition of gifts. An officer or employee, his or her spouse or an immediate family member living with the officer or employee, does not violate this Ordinance if the recipient promptly takes reasonable action to return a gift from a prohibited source to its source or gives the gift or an amount equal to its value to an appropriate charity that is exempt from income taxation under Section 501 (c) (3) of the Internal Revenue code of 1986, as now or hereafter amended, renumbered, or succeeded.

## ARTICLE 15 – ETHICS ADVISOR

Section 15-1. The President of the Board of Trustees, with the advice and consent of the Board of Library Trustees shall designate an Ethics Advisor for the Manhattan-Elwood Public Library District. The duties of the Ethic Advisor may be delegated to an officer or employee of the Library District unless the position has been created as an office by the Manhattan-Elwood Public Library District.

Section 15-2. The Ethics Advisor shall provide guidance to the officers and employees of the Manhattan-Elwood Public Library District concerning the interpretation of and compliance with the provisions of this Ordinance and State ethics laws. The Ethics Advisor shall perform such other duties as may be delegated by the Board of Library Trustees.

## ARTICLE 25- PENALTIES

### Section 25-1. Penalties

(a) A person who intentionally violates any provision of Article 5 of this Ordinance may be punished by a term of incarceration in a penal institution other than a penitentiary for a period of not more than 364 days, and may be fined in an amount not to exceed \$2,500.

(b) A person who intentionally violets any provision of Article 10 of this Ordinance is subject to a fine in an amount of not less than \$1,001 and not more than \$5,000.

© Any person who intentionally makes a false report alleging a violation of any provision of this Ordinance to the local enforcement authorities, the States’ Attorney or any other law enforcement official may be punished by a term or incarceration in a penal institution other than a penitentiary for a period of not more than 364 days, may be fined in an amount not to exceed \$2,500.

(d) A violation of Article 5 of this Ordinance shall be prosecuted as a criminal offense by an attorney for the Manhattan-Elwood Public Library District by filing in the circuit court an information, or sworn complaint, charging such offense. The

prosecution shall be under and conform to the rules of criminal procedure. Conviction shall require the establishment of the guilt of the defendant beyond a reasonable doubt.

A violation of Article 10 of this Ordinance may be prosecuted as a quai-criminal offense by an attorney for the Manhattan-Elwood Public Library District, or, if an Ethics Commission has been created, by the Commission through the designated administrative procedure.

(e) In addition to any other penalty that may be applicable, whether criminal or civil, an officer or employee who intentionally violates any provision of Article 15 or Article 10 of this Ordinance is subject to discipline or discharge.

**IDENTITY PROTECTION POLICY**

Manhattan-Elwood public Library District (Library) adopts this Identity Protection Policy pursuant to the Identity Protection Act, 5 ILCS 179/1 et seq. The Identity Protection Act requires unit of local government to approve and implement an Identity Protection Policy to ensure the confidentiality and integrity of Social Security Numbers (SSNs) against unauthorized access as SSNs can be used to facilitate Identity Protection Act was passed in part to require government agencies to assess their personal information collection practices and make necessary changes to those practices to ensure confidentiality of SSNs.

Social Security Number Protections

Whenever an individual is asked to provide the Library with a SSN, the Library shall provide that individual with a statement of purpose or purposes for which the Library is collecting and using the SSN. The Library shall also provide the statement of purpose upon request. A sample statement of purpose is attached as Exhibit 15A.

The Library shall not:

1. Publicly post or publicly display in any manner an individual’s SSN. “Publicly post” or “publicly display” means to intentionally make available to the general public.
2. Print an individual’s SSN on any card required for the individual to access products or services provided by the person or entity.
3. Require an individual to transmit a SSN over the Internet, unless the connection is secure or the SSN is encrypted.
4. Print an individual’s SSN on any materials that are mailed to the individual, through the U.S.Postal Service, any private mail service, electronic mail, or any similar method delivery, unless State or Federal law requires the SSN to be on the document to be mailed. SSNs may be included in applications and forms sent be mail, including, but not limited to, any material mailed in connection with the administration of the Unemployment Insurance Act, any material mailed in connection with any tax administered by the Department of Revenue, and documents sent as part of an application or enrollment process or to establish, amend, or terminate an account, contract, or policy or to confirm the accuracy of the SSN. A SSN that is permissibly mailed will not be printed, in whole or in part, on a postcard or other mailer that does not require an envelope or be visible on an envelope without the envelope having been opened.

In addition, the Library, shall not: 1

1. Collect, use or disclose a SSN from an individual unless:

- (i) Required to do so under State of federal law, rules or regulations, or the collection , use or disclosure of the SSN is otherwise necessary for the performance of the Library’s duties and responsibilities;
- (ii) The need and purpose for the SSN number is documented before the collection of the SSN, and
- (iii) The SSN collected is relevant to the documented need and purpose.

2. Require an individual to use his or her SSN to access an internet website.
  
3. Use the SSN for any purpose other than the purpose for which it was collected.

**Requirement to Redact Social Security Numbers**

The Library shall comply with the provision of any other State law with respect to allowing the public inspection and copying of information or documents containing all or any portion of an individuals' SSN. The Library shall redact SSN's from the information or documents before allowing the public inspection or copying of the information or documents.

---

1. These prohibitions do not apply in the following circumstances:

(1) The disclosure of SSN to agents, employees, contractors, or subcontractors of a governmental entity or disclosure by a governmental entity to another governmental entity or its agents, employees, contractors, or subcontractors if disclosure is necessary in order to perform its duties and responsibilities; and, if disclosing to a contractor or subcontractor, prior to such disclosure, the governmental entity must first received from the contractor or subcontractor a copy of the contractor's or subcontractor's policy that sets for the how the requirements imposed under this Act on a governmental entity to protect an individual's Social Security number will be achieved.

(2) The disclosure of Social Security numbers pursuant to a court order, warrant or subpoena.

(3) The collection, use, or disclosure of Social Security number in order to ensure the safety of: State and local government employees; persons committed to correctional facilities, local jails, and other law-enforcement facilities or retention centers; wards of the State; and all persons working in or visiting a State or local government agency and facility.

(4) The collection, use or disclosure of Social Security numbers for internal verification or administrative purposes.

(5) The disclosure of Social Security numbers by a State agency to any entity for the collection of delinquent child support or of any State debt or to a governmental agency to assist with an investigation nor the prevention of fraud.

(6)The collection or use of Social Security numbers to investigate or prevent fraud, to conduct background checks, to collect a debt, to obtain a credit report from a consumer reporting agency under the federal Fair Credit Reporting act, to undertake any permissible purpose that is enumerated under the federal Gramm Leach Bliley Act, or to locate a missing person, a lost relative, or a person who is due a benefit, such as a pension benefit or an unclaimed property benefit.

**STATEMENT OF PURPOSE FOR COLLECTION OF SOCIAL SECURITY NUMBERS**

The Identity Protection Act, 5 ILCS 179/1 et seq. requires each unit of a local government to approve and implement an Identity Protection Policy that includes a statement of the purpose or purposes for which the agency is collecting and using an individual's Social Security Number (SSN).

This statement of purpose is being provided to you because you have been asked by the Library to provide your SSN or because you requested a copy of this statement.

**Why does the Library collect your Social Security Number?**

You are being asked for your SSN for one or more of the following reasons:

- \* Complaint mediation or investigation
- \* Crime prevention compensation
- \* Vendor services, such as executing contracts and/or billing
- \* Law enforcement investigation
- \* Child support collection
- \* Internal verification
- \* Administrative services; and/or
- \* Other \_\_\_\_\_

**What does the Library do with your Social Security Number?**

\*We will only use your SSN for the purpose(s) for which it was collected;

\*We will not:

- Sell, lease, loan, trade, or rent your SSN to a third party for any purpose
- Publicly post or publicly display your SSN
- Print your SSN on any card required for you to access our services;
- Require you to transmit your SSN over the internet, unless the connection is secure or your SSN is encrypted; or
- Print your SSN on any materials that are mailed to you, unless State or Federal law requires that number to be on documents mailed to you, or unless we are confirming the accuracy to your SSN.

Questions or Complaints about this Statement of Purpose

Write to the Library, Attn.: Library Director

When collecting SSN's, the Library shall request each SSN in a manner that makes the SSN easily redacted if required to be released as a part of a public records request. "Redact" means to alter or truncate so that no more than five sequential digits for a SSN are accessible as part of personal information.

**Employee Access to Social Security Numbers** - Only employees who are required to use or handle information or documents that contain SSNs will have access. All employees who have access to SSNs are trained to protect the confidentiality of SSNs

(720 ILCS 5/16D-1) (from Ch. 38, par. 16D-1)

Sec. 16D-1. Short title. This Article shall be known and may be cited as the "Computer Crime Prevention Law".

(Source: P.A. 85-926.)

(720 ILCS 5/16D-2) (From Ch. 38, par. 16D-2)

Sec. 16D-2. Definitions. As used in this Article, unless the context otherwise indicates:

(a) "Computer" means a device that accepts, processes, stores, retrieves or outputs data, and includes but is not limited to auxiliary storage and telecommunications devices connected to computers.

(a-5) "Computer network" means a set of related, remotely connected devices and any communications facilities including more than one computer with the capability to transmit data among them through the communications facilities.

(b) "Computer program" or "program" means a series of coded instructions or statements in a form acceptable to a computer which causes the computer to process data and supply the results of the data processing.

(b-5) "Computer services" means computer time or services, including data processing services, Internet services, electronic mail services, electronic message services, or information or data stored in connection therewith.

(c) "Data" means a representation of information, knowledge, facts, concepts or instructions, including program documentation, which is prepared in a formalized manner and is stored or processed in or transmitted by a computer. Data shall be considered property and may be in any form including but not limited to printouts, magnetic or optical storage media, punch cards or data stored internally in the memory of the computer.

(c-5) "Electronic mail service provider" means any person who (1) is an intermediary in sending or receiving electronic mail and (2) provides to end-users of electronic mail services the ability to send or receive electronic mail.

(d) In addition to its meaning as defined in Section 15-1 of this Code, "property" means: (1) electronic impulses; (2) electronically produced data; (3) confidential, copyrighted, or proprietary information; (4) private identification codes or numbers which permit access to a computer by authorized computer users or generate billings to consumers for purchase of goods and services, including but not limited to credit card transactions and telecommunications services or permit electronic fund transfers; (5) software or programs in either machine or human readable form; or (6) any other tangible or intangible item relating to a computer or any part thereof.

(e) "Access" means to use, instruct, communicate with, store data in, retrieve or intercept data from, or otherwise utilize any services of a computer.

(f) "Services" includes but is not limited to computer time, data manipulation, or storage functions.

(g) "Vital services or operations" means those services or operations required to provide, operate, maintain, and repair network cabling, transmission, distribution, or computer facilities necessary to ensure or protect the public health, safety, or welfare. Those services or operations include, but are not limited to, services provided by medical personnel or institutions, fire departments, emergency services agencies, national defense contractors, armed forces or militia personnel, private and public utility companies, or law enforcement agencies.

(h) "Social networking website" means an Internet website containing profile web pages of the members of the website that include the names or nicknames of such members, photographs placed on the profile web pages by such members, or any other personal or personally identifying information about such members and links to other profile web pages on social networking websites of friends or associates of such members that can be

accessed by other members or visitors to the website. A social networking website provides members of or visitors to such website the ability to leave messages or comments on the profile web page that are visible to all or some visitors to the profile web page and may also include a form of electronic mail for members of the social networking website.

(Source: P.A. 96-262, eff. 1-1-10; 96-1000, eff. 7-2-10.)

(720 ILCS 5/11-25)

Sec. 11-25. Grooming.

(a) A person commits grooming when he or she knowingly uses a computer on-line service, Internet service, local bulletin board service, or any other device capable of electronic data storage or transmission to seduce, solicit, lure, or entice, or attempt to seduce, solicit, lure, or entice, a child, a child's guardian, or another person believed by the person to be a child or a child's guardian, to commit any sex offense as defined in Section 2 of the Sex Offender Registration Act, to distribute photographs depicting the sex organs of the child, or to otherwise engage in any unlawful sexual conduct with a child or with another person believed by the person to be a child.

(b) Sentence. Grooming is a Class 4 felony.

(Source: P.A. 98-919, eff. 1-1-15.)



## Manhattan-Elwood PUBLIC LIBRARY DISTRICT

### eReader Checkout Agreement Form

The Manhattan-Elwood Public Library District (MPLD) has eReaders available for its cardholders.

Users must sign MPLD's "eReader Checkout Agreement Form" prior to the first checkout, which will be kept on file. A note will be placed in your library record stating that you have eReader checkout privileges. Users may only checkout an eReader if their record is clear of all fines and fees.

The eReader check out limit is for **two weeks and may not be renewed**. Only one eReader may be checked out per person at a time. Overdue fees will be assessed at \$1.00 per day.

**If the eReader or accessories are not returned, stolen or damaged while checked out on your library card, you will be held responsible for all costs involved up to the maximum amount of \$200.00.**

Items **MUST** be returned to a library staff member at the Circulation Desk. **If returned in the book drop, a \$25.00 fee will be charged to your library card.**

I, \_\_\_\_\_ (print full name), verify I have read and understand the Manhattan-Elwood Public Library District's eReader Checkout Agreement and I agree to abide by all the terms.

Name (please print): \_\_\_\_\_

Library Card Number: \_\_\_\_\_

Signature: \_\_\_\_\_

For cardholders under 14 years:

Name of Parent or Guardian: \_\_\_\_\_

Signature of Parent or Guardian: \_\_\_\_\_

Staff initials: \_\_\_\_\_