

Circulation Policy

This policy is a system-wide policy for application to all libraries within the Buffalo & Erie County Public Library System.

I. INTRODUCTION

This is the official Circulation Policy of the Buffalo & Erie County Public Library System (B&ECPL). All B&ECPL Libraries, including any Contract Member, Buffalo Branch, Library Outlet and the Central Library, are required to follow the policies delineated herein.

A. Definitions

Terms that are used in the document are defined below:

1. **Circulation** - Checking out material on a borrower's card for a prescribed loan period or downloading electronic content. Any item listed in the B&ECPL Catalog is subject to all terms of B&ECPL Circulation Policy.
2. **Traditional Library Card** - Cardholder can check out books, music, videos and use a library computer to access the internet. Cardholder can also borrow eBooks and Audiobooks, download music, and research online newspaper and magazine articles.
3. **eCard** - Cardholder limited to use of electronic resources such as eBooks and Audiobooks, downloadable music, and online newspaper and magazine articles.
4. **Blocked** - Library card cannot be used to borrow physical materials.
5. **Barred** - Library cardholder is unable to visit library. All in-library services suspended and cannot borrow physical materials.
6. **Board of Trustees** - The Board of Trustees of the Buffalo & Erie County Public Library.
7. **Administration** - The Director, Deputy Directors, Assistant Deputy Directors and other members of the Administrative Team of the Buffalo & Erie County Public Library.

II. REGISTRATION

A. Eligible Borrowers

Erie County residents and specified non-residents are eligible for borrowing privileges, provided they meet identification requirements as established by the Administration. Some restrictions may apply.

1. All persons who live, work, own property or attend school in Erie County are eligible for borrowing privileges at no charge, except as noted herein.
2. Other residents of New York State are eligible for borrowing privileges at a charge (effective April 18, 2005). "Other" New York State borrower privileges will expire every 12 months.

B. Types of Library Cards

1. **Traditional** – in-library and online privileges
 - a. **Youth** – 16 and under; parent/guardian permission required
 - b. **Adult** – persons age 17 and older
2. **eCard** - online use only
 - a. **Student Digital Card** – children through grade 12 enrolled in Erie County schools
 - b. **Adult** – persons age 17 and older

Library cards are further defined by borrower profiles, which identify the quantities and types of material that a borrower may check out or other privileges a library patron may enjoy.

C. Application

Eligible borrowers must complete the appropriate application.

1. Erie County Residents:
 - a. To obtain a traditional library card, the applicant may apply online or appear in person or qualify for a Proxy Application.
 - b. A valid Erie County address and an email address are required to complete the online application.
 - c. Youth must have the consent of parent/legal guardian to obtain a traditional card. Absent consent, an eCard may be issued.
2. Non-Residents:
 - a. To obtain a traditional library card, the applicant must appear in person or qualify for a Proxy Application and provide required identification and documentation.
 - b. To obtain a Student Digital Card, the applicant may apply online and provide a valid address and email address. Proof of enrollment in Erie County school may be requested.

D. Registration Term

Unless otherwise specified, B&ECPL library cards do not expire. Library card holders are subject to periodic verification of their contact information.

III. BORROWER PRIVILEGES AND RESPONSIBILITIES

A. General

1. A valid B&ECPL library card will be honored at all B&ECPL locations. A valid library card includes photocopies of the card as well as barcodes on smart devices and mobile apps. Possession of a valid card implies authorized use.
2. The borrower is responsible for all use of the library card and assumes liability for fines and/or fees incurred for overdue, lost, stolen or damaged items. The borrower is responsible for returning all borrowed items in clean condition, free from insects, pests or other contaminants.
3. Borrowers must immediately report lost or stolen cards to any B&ECPL location. Failure to do so will result in the borrower being held financially responsible for any fines or fees incurred due to damaged, lost or stolen items.
4. Borrowers are responsible for notifying the B&ECPL of any change of contact information including mailing address, email address or telephone number.

B. Circulation

1. Borrowers may check out material from any B&ECPL location. Unless otherwise specified, the material may be returned to any B&ECPL location.
2. Items may be renewed in accordance with B&ECPL policy provided the borrower's account is in good standing, the items are not overdue and/or are not on a request list.
3. Circulating material is shared on a system-wide basis. The B&ECPL will provide access to any circulating item listed in the B&ECPL Catalog.
4. Most circulating material may be requested (for a fee) from and delivered to the borrower's preferred B&ECPL location.
5. The length of the loan period, number of renewals, special regulations on returns and types and quantities of materials that can be checked out will be determined by B&ECPL Administration.

C. Youth Accounts

1. The borrower or the parent/legal guardian who has authorized the issuance of a library card by co-signing or consenting online to an application for a

youth (16 and under) is responsible for compliance with all B&ECPL rules, all use made of the card and all charges incurred on it.

2. As with all library materials, programs and services, parents/legal guardians have the sole right and responsibility to decide what is appropriate for their child, except as otherwise prohibited by law.

D. Fines and Fees

1. The borrower is responsible for all library material checked out on their library card. Failure to return material will be construed as a violation of New York State Education Law Section 265.
2. Overdue fines are imposed to deter borrowers from retaining materials beyond a specified due date, thus depriving others of their use.
3. Fines will be assessed for:
 - a. Material returned after the prescribed due date, including days when the library is closed;
 - b. Lost materials; and
 - c. Any material damaged beyond normal wear and tear.
4. Overdue fine structure is based upon library material item type (children's, young adult or adult), not the borrower profile.
5. Other fines may include, but are not limited to, charges for replacement of library cards or barcode labels, RFID tags, missing media cases, and returned checks.
6. Fees are charges assessed for specified library services, including but not limited to, printing, holds placed for certain library materials and interlibrary loan use.
7. The B&ECPL will take appropriate action to collect fines, including possible referral to a third party debt recovery service, which will result in the assessment of an additional fee.
8. The B&ECPL partners with a third party debt recovery service to assist with the recovery of outstanding overdue materials, fines and fees. After a prescribed time period with excessive outstanding balances, borrower account information will be transmitted to a third party debt recovery service.
9. Account notifications are available but not a legal requirement. Non-receipt of a notice does not eliminate borrower liability for outstanding materials, fines or fees.

E. Borrower Account Status

It is the borrower's responsibility to ensure their account remains in good standing. Reasons a borrower's account and/or other library privileges may be blocked or barred include, but are not limited to:

1. Failure to return library materials by their due date;

2. Accumulating fines and fees that exceed prescribed limits in accordance with B&ECPL procedure;
3. Other abuses of library privileges, including but not limited to inappropriate conduct on library premises or infractions against or attempts to circumvent any B&ECPL policy; or
4. Returning items in damaged or unclean condition, including but not limited to infestation or contamination.

IV. CONFIDENTIALITY

Pursuant to New York Civil Practice Laws and Rules Section 4509, library records that contain names or other personally identifying details of users, including but not limited to the circulation of library materials, computer use, interlibrary loan transactions, reference queries, requests for photocopies of library materials, title reserve requests, or the in-house use of library materials, shall be confidential and shall not be disclosed except that such records may be disclosed for the proper operation of the library and shall be disclosed upon request or consent of the user or pursuant to subpoena, court order or where otherwise required by statute.

Access to borrower information is restricted to authorized staff, and with appropriate identification the borrower, custodial parent or legal guardian.

V. AUTHORIZATION

By adopting this policy, the Board of Trustees authorizes the Administration to develop rules and regulations to implement and enforce it.

Adopted January 18, 2001.

Amended March 17, 2005.

Amended July 21, 2005.

Amended September 16, 2010 per Resolution 2010-33.

Amended December 20, 2012 per Resolution 2012-46. (Administration Revised January 2, 2014: Registration Term – Library cards valid 3 years.)

Amended March 17, 2016 per Resolution 2016-7. (Administration Revised June 2018: Registration Term – Library cards do not expire. Library card holders are subject to periodic verification of the borrower record.)

Amended October 18, 2018 per Resolution 2018-28.

Amended December 17, 2020 per Resolution 2020-43.