



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.

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 bibliographic database is subject to all terms of B&ECPL Circulation Policy.
2. Blocked - Only circulation privileges are suspended.
3. Barred - ALL library privileges are suspended.
4. Board of Trustees - The Board of Trustees of the Buffalo & Erie County Public Library.
5. 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. Borrower Categories

1. Traditional

- Adult – persons age 17 and older
- Youth – persons up to age 17

2. Online

- eLibraryCard – Erie County Resident age 17 and older

Borrower Categories 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. To obtain a traditional library card, the applicant must appear in person or qualify for a Proxy Application and provide required identification.
2. To obtain an online library card (eLibraryCard), the applicant must be an Erie County resident and at least 17 years old. An e-mail address is required to complete the application. Online applicants must submit required identification via e-mail, fax or in person.
3. During a probationary period of six (6) months, new borrowers will be limited to checking out fifteen (15) items in total at any one time. If the new borrower's account is in good standing at the end of the six (6) month period, the borrower will automatically be granted full borrowing privileges.

D. Registration Term

Unless otherwise specified, B&ECPL library cards do not expire. Library card holders are subject to periodic verification of the borrower record.

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, fees, damaged, lost or stolen items incurred.
4. Borrowers are responsible for notifying B&ECPL of any change of mailing address, e-mail 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. B&ECPL will provide access to any circulating item listed in the B&ECPL bibliographic database.
4. Most circulating material may be requested 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 an application for a youth (under the age of 17), is responsible for compliance with all B&ECPL rules, all use made of the card and all charges made against 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 his/her 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:
 - material returned after the prescribed due date, including closed days;
 - lost materials; and
 - any material damaged beyond normal wear and tear.
4. Overdue fine structure is based upon library material item type (juvenile, 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 loans.
7. B&ECPL will take appropriate action to collect fines, including possible referral to a collection agency, which includes assessment of an additional fee.
8. B&ECPL partners with an outside 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 his/her account remains in good standing. A borrower's account and/or other library privileges may be blocked or barred for, but not limited to:

- Failure to return library materials by their due date;

- Accumulating fines and fees that exceed prescribed limits in accordance with B&ECPL procedure;
- 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
- 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.