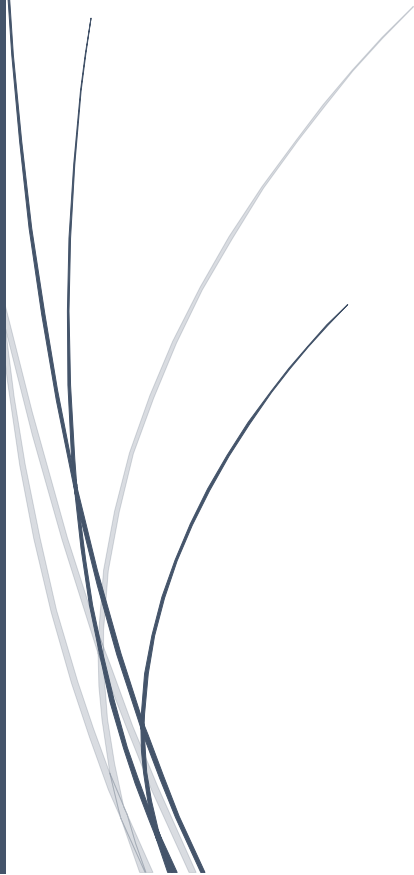


Max Community Library

Policy Manual

September 2025



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Statement of Bylaws for Max Community Library
Revised April 2020

ARTICLE I: MISSION STATEMENT

The mission of the Max Community Library is to provide and promote open access to reading, cultural, intellectual, and informational resources that will enrich all segments of our community. We believe that our services are important and essential to enrich the lives of our patrons. Promoting life-long learning for all users is of utmost importance.

The Max Community Library and its Board of Directors recognizes and adheres to the American Library Association (ALA) Council's Bill of Rights, as included as Appendix A to these Bylaws.

Vision Statement: The Max Community Library strives to encourage learning throughout every stage of life, to enrich the surrounding communities, to embolden readers both old and new, and to educate patrons on the library's advancing services and technologies.

ARTICLE II: NAME, BOARD MEMBERSHIP, AND RESPONSIBILITIES

The governing body of the Max Community Library, Max, North Dakota shall be called the Board of Directors. In accordance to the provisions of the North Dakota Century Code chapter 40-38, and the owners and assuming the duties granted to it under said statutes.

The Board of Directors is comprised of five Directors appointed by the Max City Council. The term of office is three years. A single term year extends from July 1 of one year to June 30 of the next. A Director may be appointed for two consecutive terms and shall not be eligible for reappointment until one year after the expiration of his/her second term. Appointments and terms of office are in accordance with NDCC-40-38-03.

The governing body of the Max City Council may remove any Director for misconduct or neglect of duty. Vacancies on the Board of Directors shall be filled by the governing body of the Max City Council for the balance of the unexpired term created by the vacancy. If a board member fails to attend 3 consecutive meetings they may be removed from the Board and their term will be completed by a new Director as appointed by the City Council.

Directors serve without compensation, except for necessary traveling and reimbursement expenses incurred which may be paid from the public library fund.

ARTICLE III: MEETINGS

The regular meeting of the Board of Directors shall be held the first Monday of every other month, at the Max Community Library. The Board shall hold the right to make adjustments in the scheduling of monthly meetings, subject to the approval of a majority of Directors, with regard to holidays, community events, and scheduling issues of Directors in order to assure optimum participation and the presence of a quorum. One or more Directors may participate by video conference if they are not able to physically attend the meeting. The Board will abide by all requirements of North Dakota law regarding open meetings.

Prior public notice of the dates and times of all regular meetings of the Board of Directors will be given. Acceptable means of public notice of regularly scheduled meeting times and dates may include one or more of the following: listing in the Max Community Calendar, either printed or online form; publishing in the area newspaper; disseminating the information on an Internet-based or other public notification system; posting on the community website; or posting flyers in the Max City Hall and Max Post Office. Other forms of public notification may be used. The dates and times of any meetings of the Board of Directors will be provided to any person who calls either the Max Community Library or the Max City Auditor and asks for such information, during the normal operating hours of said agencies.

Special Meetings of the Board of Directors may be called for specific purposes, with a minimum of three days written, phone, fax, or email notification of Directors. The public must also be notified at least three days prior to a Special Meeting, utilizing notification methods as noted in the previous paragraph. Notice of a Special Meeting must include a statement of the purpose(s) of said meeting, and business conducted at said meeting must not waiver from the purpose(s) stated. One or more Directors may participate by video conference if they are unable to physically attend the meeting.

A quorum of the Board consists of three members.

The annual meeting is that meeting held for the purpose of electing officers, usually held in July or August of each fiscal year.

ARTICLE IV: OFFICERS AND DUTIES

The officers of the Board shall be a President, Vice President, Secretary, and Treasurer. Officers are elected annually at the first regular meeting of the Board held in a new term year. Elected officers shall take office immediately upon election and will serve for the entirety of that term year.

The President Shall:

- preside at all meetings and perform the duties of a presiding officer.
- appoint all committees.
- authorize calls for any special meetings.
- perform any other duties as assigned by the Board.

The Vice President Shall:

- assume the duties of President in the absence of the President.
- perform any other duties as assigned by the Board.

The Secretary Shall:

- record accurately all proceedings of the Board meetings.
- make an official record of any Board action in permanent form.
- perform any other duties as assigned by the Board.

The Treasurer Shall:

- handle the financial duties required of the Max Community Library Board, with oversight by the City Auditor.
- perform any other duties as assigned by the Board.
- The treasurer has the approval of the board to pay expenditures up to \$50.00. All expenses exceeding \$50.00 require the approval of the Boards of Directors.

The City Council Representative Shall:

- serve as the ongoing liaison to the Max City Council by providing the Council with current information regarding the operations of the library and relaying concerns and requests from the library's staff and Board of Directors to the Council.

The Board of Directors may function as a committee of the whole without appointment of standing committees.

Special committees may be authorized and appointed by the President for special, limited purposes and shall serve only until completion of the assignment.

The Board will annually present a proposed budget for the total expenditures for the next calendar year to City Council. The board may modify such budget as needed. The board shall use operational budget for allocating expenditures for the fiscal year. The Board will be responsible to review the insurance policy on its contents.

ARTICLE V: LIBRARY ADMINISTRATOR

The Board shall retain a qualified administrator who shall administer policies adopted by

the Board; direct and supervise staff members; prepare required reports; recommend policies and procedures; and promote effective library service. The administrator is employed through the McLean-Mercer Regional Library, and is titled by MMRL Policy as Member Library Director. The library director may open or close the library at his or her discretion during inclement weather or in case of emergency. It shall be the director's responsibility to have the public announcements made. The Library Director is responsible for providing a detailed inventory to the City Auditor and also shall keep and accurate record of materials, equipment, and maintain an inventory. An itemized financial report should be presented to the Boards of Directors at each board meeting. In case of losses of material and equipment, they shall be reported to the Board of Directors. An annual report and annual budget shall be presented to the city council at the end of the fiscal year. digital record of the inventory should be kept off site for security purposes.

ARTICLE VI: ADOPTIONS OR AMENDMENT OF BYLAWS

Amendments to these bylaws or to any policy documents of the Board may be adopted by a majority vote of Directors present at a regular meeting subsequent to each Director having received written notification of the proposed change(s) at least one week prior to said meeting.

ARTICLE VII: ORDER OF BUSINESS FOR A REGULAR MEETING

Parliamentary procedure is the accepted method of conducting business, which allows everyone to be heard as part of an orderly process. *Robert's Rules of Order*, newest revision, is normally used as the basis for parliamentary procedure.

The order of business for each regular meeting of the Board shall include the following, not necessarily in the order listed:

MEETING:

A. Order of Business

Although it is up to each Board to determine its own order of business, the following order is commonly used:

- Call to order (record the time);
- Roll call (record members present, members absent, and guests);
- Approval of minutes of previous meetings (The Board may be provided with copies in advance so that the minutes need not be read in full);
- Financial report and approval of expenditures;
- Correspondence and communications;
- Report of Member Library Director;
- Report of committees;
- Unfinished business;
- New business;
- Setting the time, date, and place for next meeting;

- Adjournment (record time)
- B. Agenda

The agendas are the responsibility of the Board President, in cooperation with the Member Library Director. Agendas, as well as the supporting documents, should be circulated in advance of the meeting to each Board Member and other interested parties such as the press.
- C. Minutes

Minutes should contain at least the following:

 - A record of the time and place of the meeting;
 - A statement indicating the type of meeting (regular or special);
 - A record of which members were present and which were absent;
 - A summary of the discussion relating to each item of business;
 - A verbatim record of each motion together with who introduced it, who seconded it, any amendments to the motion, and the results of the vote.

Library Board meetings must be conducted in accordance with the North Dakota Open Meetings Law and Public Comment Law.

ARTICLE VIII: OPERATING HOURS

The Max Community Library shall be open as follows:

- Monday, Tuesday, and Thursday 9am-12pm & 1pm-5pm
- The library will be closed on the holidays designated by McLean Mercer Regional Library.

ARTICLE IX: INSURANCE

The City of Max provides and insurance policy covering the facility, equipment, and materials.

Public Comment Policy

The Max Community Library Board welcomes and values public input during its meetings. This policy outlines the procedures for public comment to ensure that all individuals have a fair opportunity to be heard while maintaining an orderly, transparent, and efficient meeting environment.

1. A public comment agenda item will be the first non-procedural agenda item at all regular meetings of the Max Community Library.
2. To provide public comments, each individual must sign a speaker sheet that includes the individual's name and address.
3. Each individual will be allotted up to five minutes to make comments; the time may be extended at the discretion of the chair. The individual will be notified when the time has expired.
4. An individual may not yield his or her allotted time to another individual.
5. The public comment agenda item may be limited to a total of thirty minutes. The initial thirty minutes may be extended at the discretion of the chair, but each speaker will continue to be limited to five minutes.
6. All comments must address an item of the current agenda or an agenda item from the preceding meeting.
7. Comments may not:
 - a. Be defamatory, abusive, harassing, or unlawful.
 - b. Include information that is exempt or confidential under North Dakota open records law.
 - c. Interfere with the orderly conduct of the meeting.
 - d. Must be pertinent to the public entity.

Appendix A Library Bill of Rights

Adopted June 18, 1948. Amended February 2, 1961, and January 23, 1980, inclusion of “age” reaffirmed January 23, 1996, by the ALA Council.

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. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed 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. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.
- V. A person’s right to use a library should not be denied or abridged because of origin, age, background, or views.

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.

Statement of Policy of the Board of Directors
Max Community Library
Max North Dakota

I. General Principles

The public library is a forum for information and ideas. The following basic principles will guide its materials section:

- A. To provide books and other library resources that will meet the needs of all people of the community.
- B. To provide a variety of materials with no material being excluded due to their origin, background or the views of the writers.
- C. To provide materials, within reason, that present the various general points of view on current and historical issues, selecting books and other appropriate material according to ALA standards and patron interests.
- D. To provide the resources to request reading material through the Cooperative Library network if the material is not available at this library.
- E. To provide textbooks or other curriculum-related materials at this library if they are needed to serve the general public.
- F. To provide the availability of materials for persons having a special need.

II. Library Collection and Services

A. Collection and Procurement

- a. The Library Director shall be responsible for the selection and purchase of materials which best meet the interests and needs of the community.
- b. Each acquisition shall be coded to identify purchases and ownership by the Max Community Library.

B. Gifts, Requests, Memorials

- a. The library accepts gifts of suitable materials with the understanding that they will be added to the library collections only when needed and disposed of at the discretion of the library director.
- b. Unrestricted gifts of money, lands, or property will be gratefully accepted by the Board. Restricted gifts of bequests will be reviewed by the board before acceptance or rejection.
- c. The receipt of specific items will be acknowledged, but no statement of financial value for tax or other purposes will be made.
- d. The library board has established a fund to accept memorials and determination of use will be directed by the board.

C. Material Selection

- a. Ultimate responsibility for book selection rests on the library director who operates within the framework of policies and objectives determined by the boards. Staff members are encouraged to suggest material selections according to policy.
- b. It is the right of any citizen to recommend library materials for selection consideration by the Max Community Library and is the obligation of the library director and the staff to consider such recommendations with the same evaluative criteria as set in the objectives of selection.

D. Objectives of Selection

- a. The primary objective of the Max Community Library is to provide opportunity and encouragement for people of all ages by providing a wide range of materials with diversity of appeal and viewpoints. To this end, the board reaffirms the objectives of the American Library Association, Library Bill of Rights and Freedom to Read Statement and recognizes a responsibility to:
 - i. Provide materials that will enrich communities, taking into consideration the varied interest, abilities, and educational levels of the citizens served.
 - ii. Provide materials that will stimulate growth in factual knowledge, literary appreciation, aesthetic values, and ethical standards.
 - iii. Provide a background of information which will enable citizens to make intelligent judgments in their daily life.
 - iv. Provide materials representative of the many religious, ethnic, and cultural groups and their contributions to our American and North Dakota heritage.
 - v. Provide material on opposing sides of controversial issues so that citizens may develop the practice of critical analysis of all media.
 - vi. Place principle above personal opinion and reason above prejudice in the selection of materials of the highest quality in order to assure a comprehensive collection appropriate for library patrons.
 - vii. Provide materials predicated on the patron's right to intellectual freedom. Selections will be made on the merits of the material itself in relation to the total collection.

E. Criteria for selection of Material

- a. Certain factors influence the selection of the library materials:
 - i. Needs of the community.
 - ii. Suitability and importance of the whole collection and region.
 - iii. Accuracy and reputation of the author/artist/composer/producer, etc.
 - iv. Format
 - v. Price and/or availability of funds.
 - vi. Readability and popular appeal.

F. Procedures for selection

- a. In selecting print and non-print materials for purchase, the library director evaluates the existing collection and consults reputable, unbiased, professionally prepared selection aids.
- b. In specific areas the library director follows these procedures:
 - i. Gift materials are judged by basic selection standards and are accepted or rejected by these standards.
 - ii. Multiple items of outstanding and much in demand media are purchased as needed.
 - iii. Worn or missing standard items are replaced periodically if relevant.
 - iv. Out-of-date or no longer useful materials are withdrawn from the collection.
 - v. Shelving space is finite and in order to fulfill our mission and meet

diverse cultural, educational, research, and personal enrichment needs of the community, the materials we offer must be current, accurate, used, and useful formats and condition. Subsequently, materials that are no longer accurate, used, or useful must be withdrawn from the collection.

- vi. The library will endeavor always to balance special group interests with general demand, to present fairly and truthfully both sides of every controversial subject handled, and to maintain a true balance between its duty to present information on all aspects of public questions, and its determination not to allow itself to be used as a propaganda vehicle.
- vii. The library will not maintain a closed shelf collection of materials, but will encourage individual and paternal discrimination in the choice of materials. They will strive to provide materials that are appropriate for various age groups. Responsibility for the materials checked by children is the responsibility of the parent or legal guardians.
- viii. The board recognizes the duty of the library to furnish materials “outside the main stream” of popular output and to provide in its collection a substantial representation of the critical, provocative and experimental products as well as the classics.
- ix. All phases of the selection procedure will work toward the establishment of a representative collection of materials of high quality based on achievement of the services the library is expected to perform.
- x. The library adopts the policy statement of the American Library Association, the Library Bill of Rights, and the Freedom to Read statement on book selection and controversial materials.

III. Services of the Library

- A. The library staff will provide guidance and assistance for people to obtain the information they seek as recorded in print and non-print resources.
- B. The library will initiate programs to stimulate the use of library materials to fill the needs of people of all ages.
- C. The library will cooperate with civic and community agendas and organizations to help with the program materials.
- D. The library will supplement, but cannot perform the functions of, school and other libraries which are designed to meet special needs. The public library will at all opportunities cooperate with other libraries to strengthen the services and resources of all.
- E. The library will provide Internet services (see attached policy) pg.21

IV. Use of the public Library

- A. Within the library, the use of all references and collections are free to all.
- B. Home use privileges are free to all residents of the City of Max and surrounding areas, families that have children in the Max School District, or areas participating by contract or agreement in the library program.
- C. Confidentiality of Library Circulation Records.
 - a. It is the policy of the Library Board, in compliance with state law, to protect, as far as possible, the privacy of any patron who uses the library, and not to make an inquiry into the purpose for which a patron requests information or material. Records, which may be required in controlling the use of books, either on-or- off the premises of the library, are for the sole purpose of protecting public property, and such records are not to be used directly or indirectly to identify the kinds of materials used by individual library patrons, except insofar as how the library may be helpful to such patron in finding what he/she wants. Under no circumstances shall the staff of the library answer to a third party about what a patron is reading or calling for from the library's collections. Such information is privileged and if divulged would be an invasion of the patron's privacy.
 - b. Furthermore, it is policy of the library board never to yield any information about its patrons or their reading to any agency of the government, whether local, state, or federal without a court subpoena. Any cost incurred by the library in any search through patron records under a court order, will be charged to agency demanding such a search.
- D. Service will not be denied or abridged because of age, religion, race, sex, social, economic, or political status.
- E. Any patron is free to reject for themselves books and other materials of which they do not approve, but may not exercise the right of censorship to restrict freedom of others.
- F. The use of the library or its services may be denied temporarily for due cause; which includes but is not limited to: failure to return books or to pay service charges or penalties, destruction of library property, disturbance of other patrons or any other objectionable conduct on library premises.
- G. No animals, except Service Dogs, will be permitted in the library.
- H. Shoes and shirts will be required by all persons using the library in accordance with State Law. Roller blades, skates, and skateboards will not be allowed at any time.

V. Lending Policy:

- A. All borrowers must have a valid library card on file at the library in order to check out material.
- B. Materials shall be loaned for a period set by local librarians and may be renewed for the same period with the exception for new books, which may not be renewed.
- C. Reserves may be placed on all materials. Materials will be held for 3 days after the patron has been notified and if not picked up, will then be placed back in circulation.

VI. Over dues, Lost, or Damaged Materials

- A. The Library Patron assumes the responsibility to return library materials on or before the date the materials are due. If the patron has not returned the material on time, he/she has violated a policy established by the library governing board and is subject to any charges resulting from a violation of library policy.
- B. The library has no responsibility on the part of the patron to send an overdue notice. Instead, the notice is sent because material has not been returned according to established library policy. The patron is responsible for paying established charges resulting from a violation of library policy.
- C. An overdue charge per- day -per item will begin immediately after the item is overdue whether or not the notice has been sent. There will be a \$5.00 cap in fines to each item overdue. Patrons with overdue materials will have their borrowing privileges suspended until the library materials and all late charges have been accounted for.
- D. In as much as possible, all patrons are entitled to material in their original unspoiled condition. Therefore, any amount of damage or any lost material will result in the patron reimbursing the library for the total replacement value of the material. If a patron locates lost material after it has been paid for, the patron may keep the material, and the replacement money is not refundable.

VII. Physical Facilities of Max Community Library

- A. The library will provide for the public as many attractive, educational and cultural exhibits as possible. Use of exhibit space is welcomed.
- B. The library assumes no responsibility for the protection from possible damage of theft of item(s) displayed or exhibited. The individual exhibiting at the library must sign and “Exhibitor’s Agreement” provided by the library which states that the library will assume no responsibility for damages, loss, or theft of the exhibit or display.
- C. No political, religious, or commercial solicitation is permissible. If art objects are on display, the artist may display a card with the price and artist identification.
- D. No poster, display, exhibit, pamphlet, brochure, leaflet, booklet, etc., shall be exhibited, displayed or placed in the library for distribution without the permission from the Library Director.

VIII. Accessibility Policy

The Max Community Library strives to ensure that everyone is welcome and has access to the full range of information, services, and programs that are offered in the library and makes it a priority to select and acquire, whenever possible, resources that are accessible to all.

- A. Accessibility
 - a. Parking
 - b. Entrances
 - c. Restrooms
- B. Resources for Patrons with Print Disabilities or Visual Impairments
 - a. Audiobooks on CD and through Overdrive, and Libby applications

- b. Talking Books for qualified individuals through the North Dakota State Library
 - c. Large Print materials
- C. Resources for Patrons with Learning, Cognitive, or Developmental Disabilities
 - a. Movie screenings, art workshops, computer classes
 - b. Sensory-friendly story time and playtime for children
 - c. Talking Books for qualified individuals through the North Dakota State Library
- D. Resources for Patrons that are Deaf or Hard of Hearing
 - a. Captioned videos and DVDs
- E. Resources for Patrons with Physical Disabilities
 - a. Books by Mail
 - b. Talking Books for qualified individuals through the North Dakota State Library
 - c. [This policy is adapted from the New York Public Library, University of Michigan Library, Michigan State University Library, and the Massachusetts Court System's accessibility policies and statements.]

IX. Reconsideration Policy

- A. Intellectual Freedom
 - a. The Max Community Library is committed to the principles of intellectual freedom and affirms the American Library Association's (ALA) Freedom to Read statement and the Library Bill of Rights. As such, materials representing diverse viewpoints on topics, including controversial ones, are actively collected. Selection of an item does not indicate that the Library, its Board, or its Staff agrees with the ideas and viewpoints it presents.
- B. Reconsideration Process:
 - a. The Board of Directors recognizes the importance of providing a method whereby opinions taken only from community members and/or current patrons regarding materials selection can be voiced; therefore, it has established a procedure which will apply to all complaints including:
 - i. Those about materials represented in the collection
 - ii. Those about materials not represented in the collection.
 - b. To comply with this procedure, a complaint must be in writing. Forms are available at the library and, upon completion, may be mailed or delivered to the Library Director. Upon receipt of the signed form the Director will:
 - i. Examine the material in question, the issues raised and the circumstances involved.
 - ii. Make a decision to remove or retain the material in question.
 - iii. Respond in writing to the complaint within one week of receipt.
 - iv. Provide the complainant with a copy of this policy and inform the individual of the availability of a Board Hearing.
- C. Should the complainant feel that the decision of the Director is not supported by the policy, the complainant may request a Library Board hearing by notifying the Director who will make the necessary arrangements. Following the hearing, the decision of the Board will be final. Above all, the Library Board has as its

concern the fairness of such a hearing so as to protect the rights of all persons who are involved.

- D. Miller Test: The collection will follow the Miller Test as established in 1973 by the Supreme Court
 - a. Whether "the average person, applying contemporary community standards", would find that the work, taken as a whole, appeals to the prurient interest,
 - b. Whether the work depicts or describes, in a patently offensive way, sexual conduct or excretory functions^[4] specifically defined by applicable state law,
 - c. Whether the work, taken as a whole, lacks serious literary, artistic, political, or scientific value. *Wikipedia definition
 - d. The library will not have any material that is sexually explicit in the children's collection. ND Century Code: 12.1-27.1-03.5

X. Interlibrary Loan Policy

A. Purpose of Interlibrary Loan:

- a. Interlibrary Loan (ILL) represents a mutual agreement among libraries in North Dakota and throughout the United States to share their library resources. Through ILL we are able to borrow from other libraries materials that are not available within our library system. While we try hard to serve the diverse needs and interests of our community, our resources are limited and it is impossible to purchase everything that may be of interest to everyone. Interlibrary loan enhances our ability to provide you with materials you need and want.

B. Eligibility and Limits on Interlibrary Loan Borrowing

- a. Interlibrary Loan service is available to current Max Community Library cardholders who have a library card in good standing. A patron is allowed up to five active ILL requests at one time. Active requests include those on loan, as well as those in process.

C. Materials Offered

- a. Any materials not currently owned by Max Community Library may be requested through ILL. Every effort will be made to supply the requested material, however new items, archival materials, audiovisual, and other materials may not be available. Photocopies of articles from magazines or periodicals can also be requested. Providing an accurate citation of the material you are looking for is extremely helpful.

D. Historical Materials

- a. Please be as specific as possible when requesting historical material. There may be an extra charge for historical materials requested from outside the state. Some historical materials may be lent out on the condition that they are only used within the library.

E. Requesting an Item through Interlibrary Loan

- a. Interlibrary Loan requests can be made from our online catalog, in person at the Reference Desk, or by calling the library. Please give as much information as possible about the material you are requesting.

- F. Fees
 - a. Requests for materials that are available within North Dakota will be processed free of charge.
 - G. Waiting Time for Materials
 - a. We cannot estimate a turnaround time for an ILL request, as waiting periods vary. In some cases, the process can take longer than three weeks, though in most cases turnaround is much sooner.
 - H. Notification of Patrons
 - a. You will be notified by phone when your material arrives. Unfilled requests, over dues, recalls, and other matters will also be communicated as needed.
 - I. Loan Periods
 - a. Loan periods vary for ILL items as they are set by the lending institution. In some cases, an institution will recall an item that has been loaned out.
 - J. Renewals
 - a. Requests for renewals must be made on or before the item's due date. Renewals are granted at the discretion of the lending library and cannot be guaranteed.
 - K. Overdue Fines and Replacement Costs
 - a. Fines for overdue ILL materials or replacement costs for lost or damaged material are set by the lending institution.
 - L. Contact Information
 - a. Please contact the Max Community Library at 701-679-2263 or e-mail us at maxlib@rtc.coop for more information or to place a request.
- XI. Unattended Children and Vulnerable Adults
- The library strives to maintain a safe environment for library staff and users. The purpose of this policy is to ensure the safety of unattended children and vulnerable adults.
- A. An unattended child is any child not accompanied by a parent, guardian, or caregiver.
 - B. A vulnerable adult is an adult who can't care for them self independently without the constant attention of a caregiver.
 - C. Library staff are not trained or expected to provide care and supervision for children or other persons in need of constant attention. The parent, guardian, or caregiver is responsible for monitoring the activities and regulating the behavior of children or other persons requiring supervision during their library visit. The library is not responsible for any consequences of parents, legal guardians, or caregivers not fulfilling their responsibilities.
 - D. The library acknowledges that children mature at different ages. These rules are subject to the discretion of library staff, who may apply them to children other than the ages stated below, if they deem it necessary.
 - a. Children under the age of 8 and vulnerable people of any age must have a parent, guardian, or responsible caregiver at least 12 years old in the immediate vicinity.
 - b. Library staff will attempt to contact a parent, guardian, or caregiver when:
 - i. The health or safety of a child or vulnerable adult is in doubt;

- ii. A child or vulnerable adult is frightened while alone at the library;
- iii. The behavior of a child or vulnerable adult disturbs other library patrons and has caused staff to ask the individual to leave the library;
- iv. A child or vulnerable adult has not been met by a parent, guardian, or caregiver at closing time.
- v. If a parent, guardian, or caregiver can't be reached, the police will be notified at the nonemergency number (701-462-8103) and asked to assist in the successful resolution of the situation. Under no circumstances will staff take the unattended person to another location.

Position Title: Member Library Director - (Part time hourly paid position)

Reports to: Local Library Board, Then MMRL Director

- I. Basic function:
 - A. Provide library service to the community and fulfill duties as assigned by their local board.
- II. Specific function:
 - A. Circulates books and other materials in the library.
 - B. Shelves books and keeps materials in proper order and in good repair.
 - C. Orientates new patrons in the use of the library and assists in locating materials, forwarding requests for materials not available within the system.
 - D. Collects lost material fees at prescribed rate, keeps circulation records and payroll data.
 - E. Prepares overdue notices.
 - F. Prepares displays, news releases and acts as public relations agent in the interest of the library.
 - G. Does general housekeeping as require.
 - H. Adds and/or eliminates library material as needed.
 - I. Becomes competent in the utilization of any computerized equipment and applicable software.
 - J. Participates in professional development opportunities.
 - K. Attends MMRL monthly branch/member library meetings.
- III. Special requirements:
 - A. Understands the library's policies and translate them into action.
 - B. Deal effectively with local and regional library boards, co-workers, community leaders, and the library public.
 - C. Give direction to library staff.
 - D. Support the mission of the library.
 - E. Meet six times a year with the Library Board of Directors.
 - F. Meet quarterly with Max Library Partners.
 - G. Assist the Library Board with the preparation of an annual budget.

Position Title: Library Assistant - (Part time hourly paid position)
Reports to: Library Director

- I. Basic Functions:
 - A. Data processing
 - B. Performs library duties as assigned by Director.
- II. Specific Functions:
 - A. Inputs library material data on to computer database if needed.
 - B. Processes new material if needed.
 - C. Supervises the front desk and assists patrons as needed.
 - D. Shelves returned materials.
- III. Special Requirements:
 - A. Understands computer operations and library procedures.
 - B. Performs duties satisfactorily.
 - C. Participates in professional development opportunities.
 - D. Supports library staff.
 - E. Supports the mission of the library.

Request for Reconsideration Form
Max Community Library

Title: _____

Author/Producer: _____

Location: _____

Type of material: ☐Book ☐Music (CD) ☐Video (DVD) ☐Magazine/Newspaper ☐Other

Date request received by staff: _____ Staff initials: _____

Request initiated by: _____

Signature: _____

Mailing address: _____

Telephone: _____

Representing: ☐Self ☐Organization

Organization address: _____

Organization telephone: _____

What concerns you about this material? Please be specific. Cite pages.

Did you read/listen/view the entire item? If no, what parts?

Is there any age group for which this material might be appropriate? If so, please specify.

Are there, in your judgment, any positive elements in this material? Please describe.

Are you aware of any literary reviews of this material? If so, please cite.

What material(s) can you suggest to counterbalance the point of view of this material or provide additional information on the subject?

Material Donation Form
Max Community Library

Material donated: _____

I, the undersigned, donate the above item(s) to Max Community Library with the understanding that the item(s) will be used in one of the following ways:

- A. Added to the Max Community Library collection.
- B. Transferred to another library within the state.
- C. Transferred to our Friends of the Library organization.
- D. Discarded or sold if not otherwise useful.

Name: _____
Street Address: _____
City: _____ State: _____ Zip Code: _____

Signature: _____

Date: _____

Topic: Internet Use Policy

Access to the Internet is a service offered to our patrons by the library and local Internet provider. Max Community Library offers both hard-wired Internet access through library-owned public access computer(s) and on-site wireless access through patrons' portable computers. Patrons use the Internet at their own discretion. The Max Community Library does not monitor adult Internet use, maintains only limited, lawful control over the information accessed through the Internet, and cannot be held responsible for its content or the reliability of its content.

Max Community Library does filter its Internet access for both minors and adults to certain visual depictions, including: a) depictions considered obscene, b) child pornography, c) and depictions deemed as harmful to minors [as spelled out by the Federal *Children's Internet Protection Act (CIPA)*]. Both hard-wired and wireless connections are filtered, and it may be necessary for adults to obtain a password from the Member Library Director (Librarian) or on-duty library staff in order to access some social networking and other adult-appropriate applications. This password changes regularly. The disabling of filtering mechanisms for use by an adult is done only for *bona fide* research or other lawful purposes and is accomplished at the discretion of the Library Director.

A *Users Agreement/Parental Permission Form* must be signed before a patron (including adults) is allowed to access the Internet. All patrons must sign in at the desk before using the Public Access computer.

Illegal activities or any other activities by patrons intended to disrupt network services or equipment are prohibited. Materials copied from this computer network may be subject to copyright laws and may not be copied without permission of the copyright owner unless the proposed use falls within the definition of fair use.

Use of Internet will be limited to one (1) hour per person per day. If there are no other appointments or people waiting to use the Internet, the user may use the Internet for a longer period of time at the discretion of the Member Library Director or other on-duty library staff. Minimal help is available in using the Internet.

Unacceptable use of the Internet:

1. It is not acceptable to use the Internet for any purposes, which violate U.S. or state laws, to transmit threatening, obscene, or harassing materials, or to interfere with or disrupt network users, services, or equipment. Disruptions include, but are not limited to: distribution of unsolicited advertising, propaganda or computer worms and viruses, and using the network to make unauthorized entry to any other machine accessible via the network.
2. Users may not represent themselves as another person.
3. It is assumed that information and resources accessible via the Internet are private to the individuals and organizations, which own or hold rights to those resources and information, unless specifically stated otherwise by the owners and holders of rights. It is therefore not acceptable for an individual to use the Internet to access information or resources unless permission to do so has been granted by the owners

- or holders of rights to those resources of information.
4. Malicious use is not acceptable.
 5. Use of the Internet for recreational games is not acceptable when such use places a heavy load on resources.
 6. Commercial advertising and/use of the Internet for personal financial gain is not acceptable.
 7. Viewing of pornography is not acceptable
 8. Cost of printing out material is \$.25 per black and white per side and \$1.00 per color photo copy.

USE OF THE INTERNET IS A PRIVILEGE, NOT A RIGHT, AND INAPPROPRIATE USE WILL RESULT IN THE LOSS OF THIS PRIVILEGE FOR ONE MONTH AFTER THE FIRST OFFENSE, AND THE LIFETIME OF THE PATRON THEREAFTER. ANY DAMAGES TO THE MACHINES WILL RESULT IN THE USER HAVING TO REIMBURSE THE LIBRARY FOR REPAIR.

Special Considerations for Internet Use by Minors:

Max Community Library complies with the requirements of the *Children's Internet Protection Act (CIPA)* in order to limit, to the extent possible, exposure of minors to explicit content online. As stated above, Max Community Library filters its Internet access for both minors and adults to certain visual depictions, including: a) depictions considered obscene, b) child pornography, c) and depictions deemed as harmful to minors (as spelled out by *CIPA*). This includes the filtering of access to unapproved chat sites and other social networking sites. Both hard-wired and wireless connections are filtered.

A *Users Agreement/Parental Permission Form* must be signed before a minor patron is allowed to access the Internet. Parental permission is required for those under the age of 18. All patrons must sign in at the desk before using the public access computer.

Max Community Library, under normal circumstances, has only one staff member on duty during its hours of operation. While that staff person is able to enforce time limits for in-library computer use and intermittently observe minor computer users, constant monitoring is not available. It is incumbent upon parents/guardians to understand and appreciate this fact when signing consent allowing a minor to utilize library Internet access, and to themselves provide direct supervision of that minor if they deem necessary.

While Max Community Library does not utilize computer applications for use in instant messaging or other such direct electronic communications--and prohibits and prevents, via computer administrative control, patron installation of such applications on its hard-wired public access computer(s)--it cannot control or exhaustively filter all applications that may be installed on the personal computers of minor patrons. Thus, when minors utilize wireless Internet access made available by Max Community Library via their own personal portable computers, it falls solely upon the parents/guardians to monitor the online activities of minors in their charge.

Access to electronic mail by minors is not restricted or regulated. However, minors reported to

or discovered to have previously or currently used library resources to send or receive e-mails, blog posts, or any other online communications for the purposes of harassment of another individual (e.g. cyber bullying), to disseminate personal information regarding themselves or other minors, or to otherwise attempt to do harm to or disregard the privacy or personal safety of any other person, will be prohibited from further use of library online resources.

Unacceptable Uses of the Internet, as defined above, also apply to minor patrons.

A copy of the *Max Community Library Internet Use Policy* will be provided to each parent or guardian who signs a *User's Agreement/Parental Permission Form* on behalf of a minor.

For more information on requirements of the *Children's Internet Protection Act (CIPA)*, go to <http://www.fcc.gov/cgb/consumerfacts/cipa.html> or <http://ifea.net/cipa.html>. A printed copy of CIPA is also available for viewing at the library upon request.

Approved by Max Community Library Board of Directors September 2010

MAX COMMUNITY LIBRARY
USER AGREEMENT/PARENTAL PERMISSION FORM
FOR INTERNET USE

Adult Patron

As a patron of Max Community Library, I (check one): ☐ have read and understand the *Internet Use Policy* of the library, or ☐ waive my right to review the *Internet Use Policy*. I agree to comply with Max Community Library's rules governing Internet use and understand that violation of the provisions set forth in this policy may result in suspension or revocation of Internet privileges.

Patron Signature: _____ Date: _____

Minor Patron (Under age 17)

As a parent or legal guardian of a patron of Max Community Library who is a legal minor (under age 18), I understand that I must give written consent for said minor to utilize Internet access provided by Max Community Library. I have received a copy of Max Community Library's *Internet Use Policy*. I understand that adults and minors alike are required to abide by this policy. I understand that Max Community Library complies with the *Child Internet Protection Act (CIPA)*, and in doing so, does filter content available on its land line and wireless Internet connections. However, I also understand that, despite the best efforts of any preventive system, it is not possible to comprehensively filter all Internet content or to control all content accessed by Internet users. I also realize that email and some social networking sites may be accessible through the library's connections. I understand that the library is not able to provide continuous monitoring of minors who use its Internet access, and that it is the ultimate responsibility of the parent or guardian to monitor and/or supervise Internet use by a minor in their charge.

☐ I am the parent or legal guardian of the following minor: _____

☐ I give consent for the minor listed to use Max Community Library's Internet services only when I am present.

☐ I give consent for the minor listed to use Max Community Library's Internet services in my absence.

Parent/Guardian Name (please print): _____

Parent/Guardian Signature: _____ Date: _____

Home Address _____

City _____ State _____ Zip Code _____

Home Phone _____ Work or Cell Phone _____

I. Sexual and other Forms of Impermissible Harassment

It is the policy of the Max Community Board that all employees, male and female like, are entitled to a working environment that is free of sexual harassment or other unlawful harassment. It must be understood by all employees that sexual harassment in the workplace is a violation of Title VII of the Civil Rights Act of 1964 and Chapter 14-02.4, NDCC. Disciplinary action will be taken against an employee who engages in harassment. An individual making any false accusation and/or retaliatory responses may also be subject to disciplinary action.

Sexual Harassment Defined:

Sexual harassment is defined as any unwelcome sexual advances, requests for sexual favors, verbal or physical conduct of a sexual nature, or conduct that tends to create a hostile or offensive working environment. Such harassment may include sex-oriented remarks or jokes, pressure or demands for sexual favors, implied or overt promises or threats, or any unwelcome conduct with sexual overtones. The term harassment does not refer to occasional compliments of a socially acceptable nature and it is not the intent of the Board to regulate those social interactions.

Unacceptable Conduct Defined:

1. Prohibited conduct would include:
2. Conduct which could reasonably make an employee feel uncomfortable or could reasonably offend an employee, such as the use of sexual innuendoes, obscene stories, jokes of a sexual nature or profane language.
3. The display of suggestive pictures of periodicals in an area of the workplace.
4. Sexual advances and suggestive, veiled or overt requests for sexual favors, language of a sexual nature, sexually motivated physical conduct of any other verbal or physical conduct of communication of a sexual nature which is not freely and mutually acceptable to both parties.
5. The threat or insinuation by an employee that an employee's refusal to condone such behavior will affect future advancement, wages, or assigned duties.
6. Conduct of a sexual or gender-based nature that could reasonably be regarded as demeaning, degrading, or abusive to an employee.
7. Any of the above conduct that involves an employee or supervisor as either a perpetrator or victim with another who is not an employee.
8. The above listed definitions of Unacceptable Conduct Defined are not an all-inclusive listing. If an employee has a question regarding unacceptable conduct, they should contact their supervisor. If the person doing the alleged unacceptable conduct is the supervisor, contact the Library Board president.

Dissemination Policy:

Prevention and education are the best tools for the elimination of harassment. The Library will take appropriate steps necessary to prevent harassment for occurring such as:

1. Affirmatively raising the subject.
2. Informing employees of the policy.
3. Taking appropriate disciplinary action, up to and including termination.

Complaint Procedures:

The complaint procedure is as follows:

1. An employee who feels they have been harassed or has witnessed harassment should report it immediately to their immediate supervisor who shall immediately notify the president of Max Community Library Board.
2. If the immediate supervisor is involved in the alleged harassment, the incident should be reported directly to the director. If the complaint involves the director, the incident should be reported to the Max Community Library Board president or vice president.

II. Drug and Alcohol Use

Drug and alcohol use are highly detrimental to the safety and productivity of employees in the work place. No employee may be under the influence of any illicit drug or alcohol while in the work place, while on duty.

Possessing, distributing, transferring, purchasing, selling, using, or being under the influence of alcoholic beverages or illegal drugs while on the library's property, while attending business- related activities, while on duty, may also lead to disciplinary action, including suspension without pay or discharge.

Drug-Free Workplace Compliance Policy

Illegal drugs in the workplace are a danger to us all. They impair safety and health, promote crime, lower productivity and quality, and undermine public confidence in the work we do. We will not tolerate the illegal use of drugs here and now, by law, we cannot. Under the federal Drugs-free Workplace Act, in order for Max Community Library to be considered a "responsible source" for the award of federal contracts, the following policy has been developed:

Effective immediately, any location at which the library's business is conducted, whether at this or any other site is declared to be a drug-free workplace. This means:

All employees are absolutely prohibited from unlawfully manufacturing, distributing, dispensing, possessing, of using controlled substances: Narcotics (heroin, morphine, etc.), Cannabis (marijuana, hashish,), Stimulants (cocaine, diet pills, etc.), Depressants (tranquilizers), Hallucinogens (PCP< LSD, "designer drugs", etc.).

Any employee violating the above policy is subject to discipline, up to and including termination, for the first offence. Employees have the right to know that dangers of drug abuse in the workplace, Max Community Library policy about them, and what help is available to combat drug problems.

As a member of the McLean- Mercer Regional Library consortium, employees are required to abide by the policies set by MMRL.

Any employee convicted of violating a criminal drug statute in the workplace must inform the Max Community Library Board of such conviction (including pleas of guilty and nolo contendere) within five days of the conviction occurring. Failure to inform,

subjects the employee to disciplinary action, up to and including termination for the first offence. By law, Max Community Library must inform MMRL who will notify the federal contacting officer within ten days of receiving such notice of a conviction. MMRL policy is adopted by the MCL regarding rights of participation in assistance policies.