

**NAPA COUNTY LIBRARY**  
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Adopted by the Board of Supervisors on 9-26-95 Revised; 12-17-96, 9-12-00, 2-8-02, 7-16-02, 9-17-02  
5-6-03, 2-10-04, 5-11-04, 5-24-05, 1-31-06, 12-4-/07, 2-3-09  
Revised 10-26-10; Resolution 2010-136  
Revised 2-28-2012; Resolution 2012-11  
Revised 6-19-2012; Resolution 2012-77  
Revised April 23, 2013; Resolution 2013-35  
Adopted and Effective January 31, 2017; Resolution No. 2017-21  
Revised May 22, 2018; Resolution 2018-66  
Revised August 14, 2018; Resolution 2018-108  
Revised April 16, 2019; Resolution 2019-48  
**Revised April 7, 2020; Resolution 2020-48**  
**Revised July 26, 2022; Resolution 2022-107**

## **COUNTY LIBRARY**

### **MISSION**

**Napa County Library’s mission: enriching lives with books and information.**

The Napa County Library (NCL) serves Napa County by providing free and equal access to public library facilities, resources, and services that enable the county’s diverse population to acquire information, pursue life-long learning, explore ideas, experience recreational and cultural enrichment, and enjoy the pleasure of reading.

### **VALUES**

#### **Services**

The Napa County Library values:

- Free and equal access to information and materials;
- Convenient service hours;
- Thorough, impartial and confidential service;
- Educational and recreational programs that inspire thought, ideas and a love of reading;
- Access to a wide range of information using print, digital and online resources;
- The American Library Association Library Bill of Rights.
- AB-1825 California Freedom to Read Act

#### **Collections**

The Napa County Library values:

- Resources that are current and authoritative, with well-balanced content;
- Resources that are well-organized and are in good physical condition;
- Resources that meet the needs of the people in Napa County;
- The American Library Association Freedom to Read Statement.

#### **Staffing**

The Napa County Library values:

- Employees who are knowledgeable and skilled;
- Employees who are friendly, helpful, courteous and respect each library user and their needs;

- Employees who respect each other and have a spirit of teamwork and camaraderie.

**Facilities**

The Napa County Library values:

- Clean, well-lighted, attractive facilities.
- Facilities that are safe and accessible.

## FINANCIAL PLAN

*The Napa County Library System recognizes its individual library locations by creating financial budgets for each location to adhere to, but leadership also recognizes the need for financial flexibility amongst the different locations.*

The Napa County Library system currently consists of four locations. There is a library in American Canyon, Calistoga, Napa and Yountville, hereinafter individually referred to as “location”.

All library locations provide public internet access (including wireless service), a floating collection, staffing at appropriate levels for the location, and programing.

### NAPA COUNTY LIBRARY SERVICE HOURS POLICY

Minimum hours have been established at each location. Minimum hours have been established as a baseline service that has been proven to be sustainable through consistent funding. The Napa Library maintains a minimum of 55 service hours per week. American Canyon and Yountville locations maintain a minimum of 20 service hours per week. The Calistoga location maintains a minimum of 28 hours per week as stated in Napa County Agreement 5089.

The Library Director may make the decision to increase the basic minimum hours for a specified time period as funding is available, but may not decrease the minimum hours, unless the Board of Supervisors declare a Financial Emergency. The Director has the discretion to assign additional hours or reallocate minor funding on an as-needed basis between library locations, as long as it does not violate union rules, decrease other locations’ hours, or affect other locations’ programs.

Any increase will be contingent upon the maintenance of operational efficiencies for all locations. Further, the addition of extra hours shall not have a negative impact to the library system as a whole, such as the incurrence of increased travel costs, the creation of staffing and scheduling inequities, or an incurrence of overtime costs.

If the Napa County Library’s revenues are not adequate in a given fiscal year to have all library locations open to their currently funded levels, library administration will approve the one-time transfer of funds from its operating reserves to ensure all library locations meet the hours established for that year. If revenues remain decreased and it is determined that the Napa County Library cannot provide the financial support for the level of service for the library’s hours, it will be at the Library Director’s discretion to decrease the hours of the library location to a more financially viable schedule. However, any decrease shall not be less than the minimum hours stated above.

### LOCATION FUNDING APPROACH

This model emphasizes service usage by allocating revenue and overhead expenses based on circulation, which represents usage at each library location. In order to account for an abnormal year, the formula model is created by utilizing the previous three years of circulation factors.

As the Napa County Library system is responsible for housing of the Literacy program and paying

the program's staff, the revenue needed to offset the costs attributable to Literacy is removed from Napa County Library's tax-based revenue prior to it being allocated amongst the other locations.

Additionally, the revenue associated with the agreement with the City of Calistoga is automatically apportioned to Calistoga location's budget (due to this fact, Calistoga's circulation is removed from the revenue methodology calculations). Therefore, any further mention of Napa County Library's allocable tax-based revenue (when related to the revenue methodology) removes any revenue associated with these two items.

### **Allocation Methodology**

The Napa County Library System has an overhead structure that contains the costs for the floating collection, staff for processing the collection, general administrative staff, and costs for operation of the library system. Part of these overhead costs are offset by donations to the Napa County Library (donations not specifically provided to a location or for a program) and the fees collected by Napa County Library for lost and damaged materials. The net overhead costs create the allocable cost of the General Operations Unit to be allocated among locations by circulation methodology described above. Because Calistoga receives an overhead allocation, its circulation is a part of the calculation.

For the revenue and expenditure methodology, Napa County Library's overhead costs are multiplied by the location's circulation percentage. This occurs using the following calculation steps: 1) Three years of circulation data for each location is totaled by location; 2) The locations' circulation is totaled to create an overall library system total; 3) The total circulation per location is divided by total library system circulation to create a percentage; and 4) The locations' percentage is then multiplied by Napa County Library's General Operations Unit allocable cost to derive the total expenditure allocation for that location.

- 1)  $\text{Total Location Circulation} = \text{Location A Year 1} + \text{Location A Year 2} + \text{Location A Year 3}$
- 2)  $\text{Total Library System Circulation} = \text{Total Circ Location A} + \text{Total Circ Location B} + \text{Total Circ Location C} + \text{Total Circ Location D}$
- 3)  $\text{Percentage of Circulation} = \text{Total Location Circulation} \div \text{Total Library System Circulation}$
- 4)  $\text{Allocation} = \text{Weighted Circulation Percentage Per Location} * \text{Allocable Cost}$

### **FUND BALANCE**

The Policy outlines the initial setup of designations within the Library Fund Balance for the purpose of funding capital needs at the different locations and provides direction on how the Fund Balance was established, how it will be maintained and how fiscal short falls and surpluses are addressed. Napa County Library must balance the long-term capital needs of the Napa County Library system with the short-term demands of locations. Through this Policy, the County Library is able to meet both mandates.

### **Facilities Capital Reserves**

Capital needs shall be assessed at least every ten years. After each year end close, as funds are made

available, a capital reserve for each location shall be allocated up to the requirements for capital needs based on the most recent assessment. Transfers to each location's fund balance will be made proportionally based on total needs of each facility until the reserve requirement is met.

If a capital project for a location facility exceeds the amount of reserve on hand, the Library Director may loan funds from another location's facility's reserve or the Napa County Library's Operating Reserve. The loan must be paid back with first available revenues to be allocated to that location at the end of the year, including any funds that would have been allocated to the capital reserve based on the fund balance policy.

Capital reserves are to be used specifically for replacement of equipment or furniture (with a total value of \$10,000 or greater per item), or major building repair or replacement (with a total value of \$25,000 or greater). Reserves are not available for operations, hours or programs.

**Fund Balance Policy (As of July 1, 2019)**

Fund balance shall be allocated as follows<sup>1</sup>:

- General Reserve equals 17% (two months) of the Library Fund operational budget (excluding administrative overhead allocation). This reserve is restricted by State Accounting Policy to only be used during declared emergencies or during the budget adoption process for any fiscal year.
- Operating Reserves (Available Fund Balance) shall maintain a minimum balance of 25% (3 months) of the Library Fund operational budget (excluding administrative overhead allocation).
- A Capital Reserve for each location shall be established not to exceed requirements of capital needs as established by the Public Works facilities assessment study.
- Any remaining excess funds after fulfilling the three allocations above shall remain in the Library Operating Reserve (Available Fund Balance) for future operational needs including hours, personnel to staff hours, and supplies and services to support open hours.

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<sup>1</sup> Calistoga is excluded from the ongoing distribution to Fund Balance based on Napa County Agreement 5089, which stipulates that revenue collected for Calistoga is to be used for operations at the Calistoga Location. Any unexpended revenue shall remain in Calistoga's available fund balance.

## LIBRARY USE POLICY

The Napa County Library makes every effort to maintain an environment that maximizes everyone's use and enjoyment of library services and to provide a comfortable and safe environment for all library patrons and staff.

The Library Director and designated staff are authorized to interpret these rules in accordance with applicable law and to ensure appropriate behavior of all persons in library facilities. Individuals who fail to comply with these rules may be excluded from the library, property and/or subject to arrest and prosecution.

All Napa County Library locations and properties are smoke free campuses to minimize health risk and enhance the environment in all facilities and grounds.

All library users are expected to be considerate of others while using the library by doing the following:

### **Maintaining a Safe Library Environment**

1. Dangerous behavior to person or property is not permitted.
2. Weapons of any kind are prohibited on library property.
3. Children under the age of eight must be attended by a responsible caregiver at all times.
4. Children's and teen areas are intended to be used only by children or teens and adults accompanying children or teens or working with children's and or teen materials.
5. Carts, bicycles, or bulky articles may not be brought into the library building or left unattended on library property.
6. Photography, recording or video recording in unauthorized areas is not permitted.

### **Maintaining an Environment Conducive to Library Use**

1. Any behavior that interferes with another person's ability to use the library is prohibited. This includes, but is not limited to: harassing, verbal abuse, threats or repeated unwelcome advances toward library users and staff, emitting noxious odors, or any other activity that disturbs others.
2. Using electronic devices in a manner that disturbs others is prohibited.
3. Conducting any type of business for monetary gain is prohibited.
4. Food may not be consumed in the library, except as defined in the Community Meeting Room Policy. Bottles with lids and other closed containers for liquids are allowed.
5. Defacing library materials or other library property prohibited and a violation of state law (California Penal Code Section 594).
6. Use of public restrooms for bathing and/or laundry, and use of other public areas for personal grooming is prohibited.
7. Shoes and shirt must be worn while on library premises.
8. Sleeping is not permitted on library premises.
9. Bringing animals into the library, other than service animals assisting people with disabilities, is prohibited.

10. Library users must comply with the library's Internet & Electronic Information Policy
11. The following behaviors are prohibited while using the public computer workstations, internet resources provided by the Library or on Library property:
  - Accessing, displaying, printing, or transmitting pornographic, obscene, or sexually explicit material. The Library attempts to filter content on its network.

## **UNATTENDED CHILD**

Napa County Library welcomes children of all ages. Our libraries are public buildings. Any public place may be dangerous for a child who is left unattended even for brief periods of time. Parents and other caregivers are solely responsible for the welfare and the behavior of children using the library. Children under eight years old must be supervised by a responsible caregiver at all times while in the library. A child left alone at the library without a responsible caregiver may become bored or frightened. If a child under the age of eight is left unattended in any area of the library (or an unattended child eight or older is found frightened, crying, being disruptive or in distress), staff will attempt to locate the child's caregiver. If library staff cannot find the child's parent or caregiver, law enforcement will be notified and asked to assume care of the child.

## **SUSPENSION AND APPEAL POLICY**

This policy and procedure applies to persons excluded from or placed under restricted access to Napa County Library locations as a consequence of violating library policy. This Policy outlines both suspension and appeal procedures.

### **Policy Statement**

To provide and maintain a comfortable and safe environment for all patrons and library staff, the Library Commission and the Napa County Board of Supervisors have approved the Napa County Library's behavior policy. Violation of the behavior policy may result in suspension/exclusion or restricted access to the Napa County Library locations, services and or programs for a designated period of time.

Any person who has been excluded from or placed under restrictive access to the Napa County Library locations, programs or services for seven or more days for violating the Behavior Policy, may appeal the exclusion or restricted access.

### **Suspension/Exclusion Procedure**

Authorized Staff including the Library Director or Assistant Library Director or any staff member designated as "in charge" of the facility shall follow the following procedures:

Violations of the behavior policy will be addressed by initially warning the customer of the violation. If after an initial warning the violation continues, authorized staff may exclude/suspend the patron(s) from library locations, programs and/or services for the rest of the day. Repeated violations may result in an exclusion and or suspension for up to 90 days.

Certain violations of the behavior policy are so severe that they warrant immediate and continued exclusion. These violations include:

- Physical abuse or assault of a library patron or staff member
- Making violent or threatening statements
- Harassment of a library patron or staff member
- Damaging library materials and/or property

Authorized staff will instruct anyone displaying these behaviors to leave the library immediately. The police may be called, and additional legal action may be taken, if appropriate. Based on the severity of the situation, Library Staff may determine a longer period of exclusion.

When a patron is excluded from Napa County Library locations, services and or programs, every effort will be made to notify the patron in writing of the suspension. When possible, Library Staff will deliver the written notification in person or mail to the patron. If the patron is an individual under 18, Library Staff will attempt to notify the minor's parents or legal guardian of the suspension.

A copy of the conduct policy and the appeal policy will be included with the letter of suspension.

**Appeal Procedure****1. For Suspensions 30 days or less:**

The patron who has been excluded (“appellant”), or if a minor the appellant’s parent or legal guardian, may submit a written appeal to the Library Director no more than seven days after the exclusion. The written appeal should include the following information:

- Name of appellant and address phone number or email address
- Terms of exclusion (length of time and reason)
- Statement on why the exclusion should be lifted
- If the appellant is a minor, the appeal may be submitted by a parent or a legal guardian.

The written appeal should be delivered to the Business Office at Napa Library, 580 Coombs Street, Napa, California, 94559.

The Library Director shall notify the patron appellant of the result of the appeal within 48 hours, by phone, email, or mail. In the event of the Library Director’s absence, the Assistant Library Director shall have the authority to respond to the appeal. If it is found by a preponderance of evidence that the exclusion or restriction of library services is unwarranted, the exclusion or restriction shall be withdrawn.

**2. For Exclusions/Suspensions (greater than 30 days):**

A patron who has been excluded (“appellant”), or whose access has been restricted for more than thirty days may appeal to the Library Director using the appeal procedures specified for exclusions of up to thirty days but retains their right to also use the appeal procedures outlined for suspension for more than thirty (30) days.

- a. The appellant must submit a written appeal no more than seven days from receiving the Library Director’s Notice of Suspension. The written appeal must include the following information:
  - b. Name of appellant and address phone number or email address
  - c. Terms of the exclusion or restricted access (length of time and reason)
  - d. Statement giving the reason for appeal and why exclusion or restricted access should be lifted; and
  - e. If the appellant is a minor, the appeal may be submitted by a parent or a legal guardian.
- i. The written appeal should be delivered to: Chair, Napa County Library Commission, and 580 Coombs Street, Napa, CA 94559-3396.
- f. An appeal hearing will be heard by the Library Commission’s Committee for Appeals on Suspension no more than 30 days from notice of appeal. The appeal document submitted by the appellant will be included in the publicly distributed Committee for Appeals on Suspension Library Commission meeting agenda packets.
- g. The Library Commission Chair or Vice Chair will hear the noticed appeal at the special

meeting. The burden of proof rests with appellant. Appellant must show by a preponderance of the evidence that the exclusion or restriction to library facilities is unwarranted. The hearing will include the appeal document, a report on the matter presented by the staff services person responsible for the exclusion or restriction to library services or the Library Director and all interested persons. Appellant may offer testimony and bring witnesses if their testimony is relevant. Testimony is limited to information regarding the exclusion or restriction. If appellant is a minor, the minor must be accompanied to the commission hearing by a parent or legal guardian. A decision regarding the appeal will be made by the Library Commission to uphold exclusion or restriction, determine if the restriction is unwarranted or to reduce the term of the exclusion or restriction. The decision of the commission is final.

- h. Within five working days after making its decision, the Library Commission Chair or Vice Chair will send a letter to appellant informing them of the Commission's decision. A copy of the letter will also be given to the Library Director.
- i. During the appeal process, the terms of the exclusion or restriction shall remain in force until a decision has been rendered.

## GIFTS AND DONATIONS POLICY

The Napa County Library depends on the generosity and support of the community. Donations of money and gifts to the collection are welcomed within the guidelines of this policy. These contributions may be made as supplements to, not replacements for, the library's tax-based revenues and regular non-tax revenue sources.

### County Policy

Library Director will adhere to county policy for acceptance of cash donations, non-cash donations – Merchant Gift Cards, Capital Assets, perishable and non-perishable goods, and equipment.

### Donations of Money

1. Donations of money for the *general support* of the Napa County Library's mission and collections are welcomed.
2. Donations of money for which the donor wishes to earmark a specific location or specific library function, activity, program, or project are accepted, insofar as they are deemed appropriate and manageable by the Library Director. Such gifts require prior approval by the Library Director. In some instances, prior approval may also be required by the Library Commission or the Napa County Board of Supervisors. The library is extremely cautious about accepting donations that may create on-going costs.
3. The library reserves the right to determine whether the donor's/honoree's names will be placed on the item(s) purchased with donated funds, and will have final discretion on the type, size and wording of any such designation.
4. Monetary donations can be made directly to the library at any location.
5. Donations of money or other financial assets to the Napa County Library Foundation for its endowment fund or specific Foundation goals can be made directly to the Library Foundation.
6. Donations of money to support Friends of the Library activities can be made directly to the local Friends of the Library group.

### Gifts to the Collection

1. Gifts of books and other materials for the collection are welcomed.
2. All gifts become the property of the Napa County Library.
3. Gifts are accepted without conditions.
4. Gift books and other materials will be evaluated for inclusion in the collection based on the same criteria used for purchased materials.
5. Gift materials might not be added to the collection. The library will assume no responsibility

for returning such items to the donor. Items accepted by the library but not added to the collection will be disposed of in a manner deemed proper by the Library Director or librarians with delegated authority.

6. Gifts of items for the collection will not be accepted in lieu of payment for fines or lost items. Gifts of collected private papers, specialized collections, or unique resources which are more suitable for a museum, archive, research library, or other institution than for the Napa County Library may be declined and/or referred to a more appropriate recipient. In rare circumstances, such gifts may be accepted when the Library Director decides they meet a specific need of the library and are able to be appropriately housed, controlled, and accessed within the library's facilities.
7. The donor may request that a book plate be affixed to a donated item to acknowledge memorial or honorary commemorations. If the item is accepted for the collection, the library reserves the right to determine if the donor's name or honoree's name will be placed on the donated item, and will have final discretion on the type, size and wording of any such designation. A donor's suggestions regarding wording will be given respectful consideration.
8. The library will provide a letter of acknowledgement for donated items if requested by the donor but will not provide appraisal of value for tax purposes. Valuation is the responsibility of the donor.
9. Donations of books or other items to the Friends of the Library groups for their book sales are not gifts to Napa County Library, and are subject to the specific guidelines, qualifications, and exclusions established by each Friendsgroup.

#### **Donation of Physical Assets**

1. As a general rule, the library will not accept donations of physical assets or everyday items.. Exceptions to this rule must have prior approval of the Library Director. In some instances, the Napa County Board of Supervisors.
2. All accepted donations of physical assets become the property of the library, and the library reserves the right to dispose of items in a manner that the library deems necessary and proper. The library will assume no responsibility for returning items to the donor.
3. Considerations for acceptance include, but are not limited to:
  - a. The library's need for the particular item.
  - b. The space required for the item being available.
  - c. Suitable alternatives that are available to the library or the County's purchasing division through standard manufacturers, vendors, agents, or those companies specializing in library-oriented products and services.
  - d. Security measures needed.
  - e. Controlled environments required.
  - f. The style and color of the item being consistent with the library's décor.
4. Gifts of art objects more suitable for a museum, archive, research library or other institution than for the Napa County Library may be declined and/or referred to a more appropriate recipient. In rare circumstances, such donations may be accepted when the Library Director decides they meet a specific need of the library.

5. The library reserves the right to determine if the donor's name or honoree's name will be placed on the donated item, and will have final discretion on the type, size and wording of any such designation.
6. Appraisal of physical asset donations for tax purposes will not be provided by the library.
7. Except as otherwise addressed in the library's policies, Napa County Library does not accept loans of furniture.
8. Art objects are accepted on loan only within the context of the Library's Art in the Library program. (See the Library's Art Review Committee description in Service Policy #2, Displays, Postings and Handouts.)

## **COLLECTION DEVELOPMENT POLICY**

Napa County Library's mission is to enrich people's lives with books and information. In support of this mission, Napa County Library endeavors to preserve and encourage the free expression of ideas essential to an informed citizenry. Napa County Library recognizes that within Napa County there are individuals and groups with diverse interests, backgrounds, and needs, and the library serves Napa County by providing free and equal access to public library facilities, resources and services that enable the County's diverse population to acquire information, pursue life-long learning, explore ideas, experience recreational and cultural enrichment, and enjoy the pleasure of reading.

Napa County Library believes that reading, listening to, and viewing library materials including electronic resources, are individual, private matters. Not all materials will be suitable for all members of the community. While one is free to select or to reject materials for oneself, one cannot restrict the freedom of others to read, view, or inquire. Parents, guardians and caregivers have the primary responsibility to guide and direct the reading and viewing of their own minor children. The library does not assume that responsibility.

Napa County Library identifies and responds to changing demographics in order to meet community needs. Materials in a variety of formats, including licensed electronic resources and online databases, shall be selected for all ages. Some factors, though not an exhaustive list, are considered in adding to or removing materials from the library collection may include: present collection composition, collection development objectives, interest, demand, timeliness and current content, audience, significance of subject, authoritative works, diversity of viewpoint, effective expression, well-balanced and well-organized content, physical condition and limitation of budget and facilities.

No materials that meet the selection criteria shall be excluded because of the origin, background, or views of the author or those contributing to its creation. The library does not endorse any particular viewpoint or belief represented in its collection. The Napa County Library adheres to and supports AB-1825 – California Freedom to Read Act.

Napa County Library shall be responsive to public suggestion of titles and subjects to be included in the library collection. Gifts of materials may be accepted with the understanding that standards of this policy are applied to gifts as to materials acquired by purchase.

Napa County Library is not an archival library. To ensure a vital collection of continuing relevance and value to the community, materials that are not well used or no longer fall within the selection criteria may be withdrawn.

The collection shall be organized and maintained to facilitate access. There shall be no prejudicial labeling, sequestering, or alteration of materials.

The ultimate responsibility for the selection, replacement, and discarding of library materials is vested in the Library Director (California Education Code section 19146). The Library Director may delegate to members of the staff who are qualified by reason of education and training to conduct the day-to-day responsibilities of collection management.

Napa County Library recognizes the right of individuals to question materials in the collection. A library patron questioning material may request and submit a Statement of Concern about Library Resource form. [Appendix 1]

The collection development policy functions in accordance with the principles professional librarianship that include the commitment to the tenets of the American Library Association's Library Bill of Rights, Freedom to Read Statement, Freedom to View Statement, and AB-1825 California Freedom to Read Act and their interpretations.

- <http://www.ala.org/advocacy/intfreedom/freedomreadstatement>
- <http://www.ala.org/advocacy/intfreedom/librarybill>
- <http://www.ala.org/advocacy/intfreedom/freedomviewstatement>
- [https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=202320240AB1825](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202320240AB1825)

## **CALIFORNIA EDUCATION CODE SECTION 19146**

The county librarian shall, subject to the general rules adopted by the board of supervisors, build up and manage, according to accepted principles of library management, a library for the use of the people of the county, and shall determine what books and other library equipment shall be purchased.

## **LIBRARY BILL OF RIGHTS**

- I. The American Library Association affirms that all libraries are forums for information and ideas, and that the following basic policies should guide their services.
- II. 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.
- III. 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.
- IV. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.
- V. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.
- VI. A person's right to use a library should not be denied or abridged because of origin, age, background, or views.
- VII. 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.

- VIII. All patrons possess a right to privacy and confidentiality in their library use. Libraries should advocate for, educate about, and protect people's privacy, safeguarding all library use data, including personally identifiable information.

Adopted June 19, 1939, by the ALA Council; amended October 14, 1944; June 18, 1948; February 2, 1961; June 27, 1967; January 23, 1980; January 29, 2019. Inclusion of "age" reaffirmed January 23, 1996.

## THE FREEDOM TO READ STATEMENT

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 the view that our national tradition of free expressions 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 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:

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.

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.

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.

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 it 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 experience 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.

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.

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 safer, free, and creative when the free flow of public information is not restricted by governmental prerogative or self-censorship.

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, worth 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.

This statement was originally issued in May of 1953 by the Westchester Conference of the American Library Association and the American Book Publisher Council, which in 1970 consolidated with the American Educational Publishers Institute to become the Association of American Publishers.

Adopted June 25, 1953, by the ALA Council and the AAP Freedom to Read Committee; amended January 28, 1972; January 15, 1991; July 12, 2000; June 30, 2004.

**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:

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 guarantee of freedom of expression.

To protect the confidentiality of all individuals and institutions using film, video, and other audiovisual materials.

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.

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.

To contest vigorously, by all lawful means, every encroachment upon the public's freedom to view.

The statement was originally drafted by the Freedom to View Committee of the American Film and Video Association (formerly the Educational Film Library Association) and was adopted by the AFVA Board of Directors in February 1979. This statement was updated and approved by the AFVA Board of Directors in 1989.

Endorsed January 10, 1990, by the ALA Council

**AB-1825 CALIFORNIA FREEDOM TO READ ACT.(2023-2024)**

**Assembly Bill No. 1825**

**CHAPTER 941**

**SECTION 1.**

Chapter 10 (commencing with Section 19800) is added to Part 11 of Division 1 of Title 1 of the Education Code, to read:

**CHAPTER 10. California Freedom to Read Act**

**19800.**

This chapter shall be known, and may be cited, as the California Freedom to Read Act.

**19801.**

The Legislature finds and declares all of the following:

- (a) Libraries are essential for information, education, and enlightenment of all people of the community the library serves.
- (b) Libraries provide access to books that offer teachable moments for readers of all ages and expand our understanding of people with different backgrounds, ideas, and beliefs.
- (c) A person's right to use a library should not be denied or abridged solely because of personal characteristics, age, background, or views.
- (d) Removing and banning books from public libraries are dangerous acts of government censorship and erode our country's commitment to freedom of expression and the right to receive information.
- (e) Librarians are professionals trained to not impose their own thoughts and opinions on which ideas are right, but to make knowledge and ideas available so that people have the freedom to choose what to read.
- (f) Librarians and library staff receive extensive professional training to develop and curate collections to meet the broad and diverse interests of their communities, which include, but are not limited to, literary value and developmental appropriateness of material.

**19802.**

- (a) (1) Every public library jurisdiction that directly receives any state funding, including, but not limited to, state funding pursuant to this part, shall establish, adopt, and maintain a written and publicly accessible collection development policy for its public libraries by January 1, 2026, and shall submit that collection development policy to the State Librarian. The State Librarian or their designee may provide technical assistance to public libraries in developing their collection development policy. The collection development policy, at a minimum, shall do all of the following:
  - (A) Establish a process for community members to share their concerns regarding library materials and to request that library materials be reconsidered for inclusion in the library's collection.
  - (B) Guide the selection and deselection of library materials.
  - (C) Acknowledge that the public library's collection meets the broad and diverse interests of the community and respect both the library's autonomy and their specific community needs.
  - (D) Establish that the public library serves as a center for voluntary inquiry and the dissemination of information and ideas.

- (E) Acknowledge that library materials should be provided for the interest, information, and enlightenment of all people, and should present diverse points of view in the collection as a whole.
- (F) Acknowledge the right of the public to receive access to a range of social, political, aesthetic, moral, and other ideas and experiences.
- (2) A librarian, library media specialist, other employee, or contractor at a public library shall not be subject to termination, demotion, discipline, or retaliation for either of the following:
- (A) Refusing to remove a library material before it has been reviewed in accordance with the public library's process for the reconsideration of library materials established pursuant to subparagraph (A) of paragraph (1).
- (B) Making displays, acquisitions, or programming decisions that the employee or contractor believes, in good faith, are in accordance with the requirements of this section.
- (b) (1) The governing board or body of a public library, or any body or commission designated to review the procurement, retention, or circulation of, or access to, library materials, shall not proscribe or prohibit the circulation or procurement of, or access to, any library materials in a public library because of the topic addressed by the materials or because of the views, ideas, or opinions contained in those materials.
- (2) (A) Library materials in public libraries shall not be excluded, and access to library materials shall not be limited, solely on the bases of any of the following:
- (i) The race, nationality, gender identity, sexual orientation, religion, disability, political affiliation, or any other characteristic listed in subdivision (a) of Section 12940 of the Government Code, or the socioeconomic status of a subject of the library materials, an author of the library materials, the source of the library materials, or the perceived or intended audience for the library materials.
- (ii) The library materials contain inclusive and diverse perspectives.
- (iii) The library materials may include sexual content, unless that content qualifies as obscene under United States Supreme Court precedent.
- (B) This paragraph does not apply to library materials excluded, or for which access is limited, pursuant to a library maintenance and deaccession policy.
- (3) The governing board or body of a public library, or any body or commission designated to review the procurement, retention, or circulation of, or access to, library materials, shall not create policies or procedures that limit or restrict access to library materials offered by the public library unless the policies or procedures are adopted to preserve the safety or security of the library materials, are time, place, and manner restrictions not based on the content of materials, or are programs that provide for the effective management of the library and its resources to preserve access for all library users.
- (c) A person's right to use a public library and its resources shall not be denied or abridged solely because of personal characteristics, age, background, or views.
- (d) All people, regardless of personal characteristics, age, background, or views, possess a right to privacy and confidentiality in the materials they borrow from libraries.
- (e) This section applies to a public library, as defined in Section 18015, including any public library operated on a contractual basis, or by a city, including a general law or charter city, county, special district, or joint powers authority, except that it does not apply to any school library, as defined in Section 18710, or any library operated by the governing board of a school district, a county board of education, or the governing body of a charter school.
- (f) For purposes of this section, the following definitions apply:
- (1) "Library materials" includes, but is not limited to, books, periodicals and serials, audio materials, audiovisual materials, instructional materials, maps, databases, government documents, records, photographs, and all other similar materials, whether in tangible or electronic form. "Library materials" does not include hardware, tools, instruments, computers, appliances, or other items that are not for the primary purpose of conveying ideas or information.

(2) “Public library jurisdiction” means a county, city and county, city, or any district that is authorized by law to provide public library services and that operates a public library described in subdivision (e).

**SEC. 2.**

The Legislature finds and declares that ensuring public libraries are free of censorship is a matter of statewide concern and is not a municipal affair as that term is used in Section 5 of Article XI of the California Constitution. Therefore, Section 1 of this act adding Chapter 10 (commencing with Section 19800) to Part 11 of Division 1 of Title 1 of the Education Code applies to all cities, including charter cities.

**SEC. 3.**

If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

Statement of Concern about Library Resource

**Napa County Library Patron Request for Evaluation Form**

The ultimate responsibility for selection, replacement, and discarding of library materials rests with the Library Director of the Napa County Library. However, the Library Director has established reconsideration procedures. If you wish to request the Library Director reconsider the replacement or discarding of certain library materials, please return the completed form to the Library Director, Napa County Library, 580 Coombs Street, Napa, CA 94559. Only persons who live within the Napa County Library service area are permitted to request a resource be evaluated. Once an item has undergone the evaluation process, it will not exempt from the review process for five (5) years.

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

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip code: \_\_\_\_\_ Phone: \_\_\_\_\_

Do you represent yourself? \_\_\_\_\_ Your organization? \_\_\_\_\_

1. Resource on which you are commenting:

Other: \_\_\_\_\_

Title: \_\_\_\_\_

Author/Producer: \_\_\_\_\_

2. What brought this resource to your attention? \_\_\_\_\_

3. Have you read/examined the entire resource? \_\_\_\_\_

4. What concerns do you have about the resource? (Use other side or additional pages if necessary).

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5. What resource(s) would you suggest to provide additional information and/or other viewpoints on this topic?

## LIBRARY CARDS

### Library Cards for Adults

Any adult (age 18 or over) may obtain a Napa County Library card free of charge by completing an application and presenting picture identification with documentation of current address.

### Library Cards for Children

Any child (under age 18) may obtain a Napa County Library card free of charge by completing an application that includes a parent's or guardian's signature. A temporary library card may be issued to a minor who does not have a parent's or guardian's signature.

Parents are encouraged to accompany their children to the library to apply for the child's card. However, a parent or guardian may obtain a library card for their child without the child being present if the parent's or guardian's library card is in good standing. Any exception to this rule must be approved by a Library Supervisor or the Staff Member in Charge.

The parent or guardian is responsible for the child's library card.

Napa County Library partners with the schools in Napa county to issue library cards to all active students using their student ID. These cards allow students to utilize both online resources and print materials. Up to 5 items may be checked out at any time. This is an opt out program and parents or other caregivers can request that their student not be given a card at the beginning of each school year or at any point in the year by contacting their school or Napa County Library to request that a change be made to the account.

### Confidentiality

Pursuant to California Government Code Section 6267, registration and circulation records are confidential and may not be inspected by any other person without a court order or written permission of the individual to whom the records pertain, with the exception of minors as noted above.

### Limitations

Napa County Library cards do not expire but the Napa County Library may delete a library card that has been inactive for more than three years.

Library cards may not be used if \$10 or more in fees are owed.

Patrons are responsible for their library cards and for any materials and/or charges incurred from the use of the library card. The patron is responsible for immediately notifying the library if the person's library card is lost or stolen. Failure to do so may result in the patron being found responsible for any materials or charges incurred from the use of the library card.

The library card presented by the patron is presumed to belong to that patron, or, if the library card belongs to someone else and the card has not been reported lost or stolen, it is presumed that it is

being used with the patron's consent. Napa County Library may request that patrons update or confirm their address.

### **Temporary Library Cards**

A temporary library card may be issued in special circumstances.

1. Temporary library card holders may have a total of five items checked out at a time.

### **Institutional Library Cards**

An institution may apply for an institutional library card when all of the following conditions are met:

1. The institutional library card is to be used to borrow materials for persons enrolled at the institution.
2. The institution's address is located within Napa County.
3. The institution understands that the same borrowing limits apply to the institutional library card as to personal library cards.
4. The institution accepts full financial responsibility for any and all fines and/or fees resulting from the use of its library card.
5. The institution understands that items may only be checked out when the institutional library card is presented, and there are no outstanding charges due on the card.
6. The institution understands that its institutional library card may be suspended or revoked by the Library Administration, at any time, without notice.
7. Only one physical institutional library card will be issued to the institution.
8. The institutional library card may only be issued when the application is signed by an official of the institution who is authorized to enter into binding agreements and to make financial commitments for the institution.

### **Suspension of Library Card Privileges**

Napa County Library maintains ownership of any library card. The issuance of a library card does not provide the person and or institution with any legal rights outside of those contained in these policies and/or otherwise afforded by law. Napa County Library administration reserves the right to suspend the use of a library card temporarily for up to six months. During a suspension, all borrowing privileges are withheld.

Library cards may be suspended for the following reasons:

1. Disregard of library borrowing rules
2. Deliberate damage of library materials or property

## **CHECKOUTS**

### **Checkout Periods**

Materials may be checked out for 21 days. Extensions may be made under certain circumstances.

### **Checkout Limitations**

Card holders may have a maximum of 50 items checked out.

Other limitations may apply as necessary. Napa County Library may limit the number of holds allowed for an individual patron whose hold requests have gone beyond reasonable limits.

### **Renewals**

Most items may be renewed a maximum of two times if no holds are on the material. Renewing an item creates a new due date based on the date renewed. Exclusions include certain bestsellers and new releases (Hot Picks) and Interlibrary Loans (ILLs).

### **Use Policies**

The library is not responsible for damages that may occur to equipment in the use of library materials.

## **FINES AND FEES FOR MATERIALS**

It is the Napa County Library's objective to keep the community engaged and using the Library by not collecting overdue fines. The Library will continue to recover the expense of lost or damaged materials so that other Library users may have access to the materials.

A schedule of the library's fines and fees adopted by the Napa County Board of Supervisors follows this policy.

Napa County Library participates in interlibrary cooperation with other library jurisdictions, which may have differing fine and fee policies and schedules. Whenever Napa County Library collects a fine or fee for an item borrowed from another library jurisdiction, it collects the amount that is charged by the library that owns the item.

## **LOST OR DAMAGED MATERIALS**

The purpose of fees for lost or damaged items is to recover the cost of the item.

The selection, replacement, and withdrawal of all library materials is the responsibility of the Library Director and is delegated to professional librarians and paraprofessional employees.

Discretion and authority for disposal of damaged library materials rests with the Library Director and may be delegated to trained staff.

## **DELINQUENT ACCOUNTS**

### **California Law**

California Education Code, section 19911, provides that willful detention of any public library book or other library material is a violation of the law. The parent or guardian of a minor can be held responsible for such willful detention of library materials by the minor.

## **NOTIFICATION**

Patrons with borrowed materials which are overdue will receive notification. If there is no response to the notice, the violation may be turned over to the library's collection agency.

## **BLOCKED STATUS**

A patron for whom a collection agency account is established will have the patron's library card blocked and may not borrow library materials until the account is cleared.

## **CLEARING A DELINQUENT ACCOUNT**

A delinquent account is cleared when all library materials are returned in good condition and all charges connected with the transaction(s) are paid, or the library has been reimbursed for lost/damaged materials and all charges connected with the transaction(s) are paid.

The Library Director has the authority to work with patrons to resolve accounts including waiving fees and setting up payment plans.

Once a patron has cleared the delinquent account and paid all required fees, borrowing privileges are restored.

## FINES AND FEES SCHEDULE

### COMMUNITY MEETING ROOM POLICY

The Napa County Library complies with the Napa County Board of Supervisors' policy on meeting room use (Resolution 88-35) and endorses the American Library Association Interpretation of the Library Bill of Rights concerning Meeting Rooms (included in section 6 of this policy manual).

#### **Purpose**

The Napa County Library location Meeting Rooms (hereinafter referred to as “Rooms”) are available for library sponsored events and for public gatherings of an intellectual, civic, cultural and/or educational nature.

The Library Director may waive specific provisions of this policy and/or establish specific requirements upon written request of the applicant if the request is reasonable and does not endanger person or property.

#### **POLICY**

##### **Conditions Regarding Use:**

1. The Rooms may be scheduled for use by individuals or organizations upon written application, payment of any fees and approval in advance by library administration no more than 90 days before the event.
2. The use of library facilities for programs is a privilege not a right. The Library Director or designee has the authority to restrict the use of the Rooms for library purposes or deny an applicant use of the Rooms based upon an applicant’s prior violation(s) of the conditions for use, conditions on activities and/or restrictions under this policy.
3. The Rooms may only be used for meetings that are open to the public and are free of charge, unless otherwise approved in writing by the Library Director or the group has rented the Rooms at the “For Profit” rate.
4. County Departments are exempt from the requirement that meetings be open to the public, and are exempt from hourly rates, regardless of meeting type. They are subject to maximum use of six times per year or are subject to non-profit reservation rates.
5. The Napa Library Community Meeting Room is available for use during the

following hours:

|                            |                        |
|----------------------------|------------------------|
| Mon., Tues., Weds., Thurs. | 8:30 a.m. – 7:45 p.m.  |
| Friday                     | 8:30 a.m. – 5:45 p.m.  |
| Saturday                   | 10:00 a.m. – 5:45 p.m. |

Sunday

Available at Director's discretion

The American Canyon Library Community Room is available for use during the following hours:

|                                 |                        |
|---------------------------------|------------------------|
| Mon., Tues., Thurs., Fri., Sat. | 10:00 a.m. – 5:45 p.m. |
| Weds.                           | 1:00 p.m. – 7:45 p.m.  |

6. The premises must be vacated promptly on schedule.
7. The group using the Rooms must restack the chairs in the Rooms per posted instructions.
8. Attendance may not exceed the posted capacity of the Rooms.
9. No individual or group may use the Rooms more than once per month, with a maximum of six times per year, with the exception of library-sponsored activities.
10. Cancellations of scheduled meetings should be made as far in advance as possible. Refunds may not be made for meetings cancelled less than one week prior to the reserved meeting time.

**Conditions Regarding Activities:**

1. Approved Room use does not imply that the library supports or endorses the group or the program taking place in the Rooms.
2. Any publicity about the scheduled meeting must carry the name and phone number of the organization sponsoring the meeting. Publicity for the meeting must clearly indicate that the library is not the sponsor of the meeting. The library address and phone number shall not be used as a contact for meeting information.
3. No signs, stickers, posters or any other information about the meeting may be displayed on County property outside of the Rooms, other than on the designated space on the door. Sales, proselytizing or petitioning outside of the Rooms on County property is not allowed.
4. Arrangements for use of library equipment must be made in advance of the scheduled meeting. Individuals signing up to use library equipment must know how to operate it properly and must accept full financial responsibility for damage that may occur to it while in use by them.
5. Library Staff is not responsible for setting up or cleaning up the Rooms. Room set-up and clean-up are the responsibility of the applicant and must be done within the scheduled booking time. Individuals signing up to use the Rooms must accept full financial responsibility for damage that may occur to it while in use by them.
6. No individual or group may store items in the library or in the Rooms. The library is not liable for items left in the Rooms unattended.

**Restrictions:**

1. The Rooms may not be used for:
  - a. Any purpose that may interfere with the regular operation of the library, both inside and outside the building.
  - b. Personal, company or family parties.
  - c. Any meeting that advocates any illegal activity.
  - d. Programs which solicit donations, charge admission or derive a profit as a result of the meeting taking place unless the group has the written approval of the Library Director or has rented the room at the "For Profit" rate.
  - e. Youth groups (ages 18 and under), unless sponsored and supervised by adults.
2. The following activities are not permitted in the room:
  - a. Smoking.
  - b. Serving alcoholic beverages, except the serving of wine or beer as described in the following section entitled "Serving of Wine and Beer".
  - c. Animals (service animals excepted).
  - d. Use of candles.
  - e. Noise that disturbs patrons using other parts of the library.

**Serving of Beer and Wine**

Beer and wine may be served at adult programs held during non-business hours of the library with the approval of the Library Director. Beer and wine education programs held in the Rooms during business hours may serve a limited number of small samples of wine for the purpose of education. All other alcoholic beverages are prohibited.

Any non-County person or organization that proposes, and is approved, to serve wine and/or beer must furnish to the Library Director a Certificate of Insurance indicating liquor liability or host liquor liability as part of their general liability policy with a minimum coverage of Two Million Dollars. Said certificate must name Napa County, its officers, agents and employees as additional insured.

**Parking**

The Napa Library's main parking lot has a 3-hour limit between 8:00 a.m. and 6:00 p.m. Monday through Friday. Violators are ticketed.

**Terrace**

The Library Use Policy applies to the library's terrace with the exception that food and non-alcoholic beverages are allowed.

**Rental Fees**

Rental fees are established by the Napa County Board of Supervisors. Applicable fees are to be paid upon application, preferably no less than two weeks before the scheduled event.

These fees may include: hourly rate, equipment use fee, and insurance fees. Missing or damaged equipment will be charged at cost to repair or replace. Programs for which fees have not been paid by one week before the scheduled program may be canceled and the meeting time made available for other groups.

**Calistoga Library**

The Calistoga location does not have a separate meeting space for community use. However, the Friends of the Library may use library space upon Library Director's approval. In accordance with County policy, a library staff person is required to be on duty whenever the library space is utilized by the Calistoga Friends.

**Yountville Library**

The Yountville location does not have a separate meeting space for community use. The library is made available to the Friends of the Yountville Library and may use library space upon Library Director's approval. In accordance with County policy, a library staff person is required to be on duty whenever the library space is utilized by the Yountville Friends.

## DISPLAYS, POSTINGS AND HANDOUTS

Within the context of Napa County Library's Mission Statement, Values, and the guidelines established by this policy, the Napa County Library allows local non-profit, educational, cultural, and civic groups to display materials, post announcements and distribute handouts to the extent that space is available.

### Responsibility

The policy is administered by the Library Director who has the authority to accept, reject, or remove any display, posting, or handout.

The library is not responsible for loss of or damage to exhibit or display materials.

### Principles

1. The Napa County Library endorses the American Library Association Interpretation of the Library Bill of Rights concerning "Exhibit Spaces and Bulletin Boards."
2. The use of library facilities for exhibits or bulletins is a privilege, not a right.
3. The library encourages the presentation of topics from various points of view. Suggestions and comments from the public are welcome.
4. Displays, postings and handouts are intended to benefit the community by meeting some or all of these criteria:
  - a. Provide cultural and educational enrichment
  - b. Provide useful information
  - c. Enhance community awareness of opportunities or issues
  - d. Provide public service
  - e. Offer educational activities
  - f. Be of interest to Napa County residents
5. Items to be posted or distributed must be left at the Information Desk for review and approval, along with the name, address and telephone number of the individual or organization requesting this service.
6. Announcement of activities taking place in Napa County is given priority.
7. Due to space limitations, oversized posters or handouts may not be allowed.
8. No box, receptacle, or canister may be a part of any posting or display.
9. Announcements of personal services or inquiries, lost and found notices, personal legal notices, and purchase or sales offers are not allowed.
10. Campaign materials may not be posted. Official election information distributed by Napa County Elections or the Napa County Registrar of Voters may be posted.

11. No exhibit, bulletin, or program for the general public shall be permitted which advocates or solicits consideration of any product or item sold by any private business, commercial venture, or charitable enterprise.

### **Art in the Library Program**

The Art in the Library Program provides adults the opportunity to explore and develop their artistic interests through monthly exhibitions and art presentations.

Napa County Library's Art in the Library Program seeks to bring variety of art exhibits to the Napa Library that meet an acceptable aesthetic standard of quality. Art from Napa County residents is accepted during the yearly Art Call. Selections attempt to represent a variety of artistic styles, techniques and mediums. The Art in the Library Program may also include art displays/exhibits in the other library locations.

The Art in the Library Program is managed by an advisory committee that reports to the Library Director. The purpose of the committee is to review applicants' art submittals and select the artists whose works will be displayed.

The Napa County Art Review Committee consists of four members: the Library Director or designee and three community representatives appointed by the Library Commission. Each Commission-appointed committee member serves a two-year term starting from the date of appointment. A committee member who does not respond to contacts regarding committee's business shall, at the discretion of the Library Director, be deemed inactive. A new appointment shall then be made to replace the inactive committee member.

### **Art Exhibits in the Children's Library**

1. The Children's Library may accept artwork for display on the cloth/bulletin walls. Display of objects on the tops of shelving units is not allowed as it limits the staff's vision of the children's area and cannot be protected from being touched or damaged.
2. Artwork (pictures) should be done by children or for children and be appropriate for viewing by all our young patrons who use the Children's Library. The primary clientele are infants through sixth graders and their parents and caregivers.
3. A sample of the artwork shall be provided to the Children's Services Supervisor for review. The library reserves the right to approve or disapprove of the exhibiting of the artwork in the Children's Library.
4. Artwork may be displayed for thirty (30) days. Exhibits must be scheduled in advance and according to these guidelines. Exhibitors are encouraged to come in and view the space available prior to scheduling a display period.
  - g. The teacher/leader in charge of the student artwork is responsible for putting up the pictures and for taking them down on a pre-scheduled date. To put up or take down the artwork before the library opens at 9:00 a.m., the teacher/leader must make an appointment with a Children's staff member to provide entrance into the building. Putting up and removing the pictures

involves getting up on a ladder, which the library has available on a pre-arranged basis. The library provides straight pins (T-headed) to attach pictures to the wall so as not to damage the wall covering.

5. Exhibits should display a banner or sign which introduces, explains and identifies who is responsible for the exhibit. This includes providing a phone number of the person responsible for the exhibit as viewers often want to get in touch with the person.
6. The person responsible for the exhibition is in charge of returning the artwork to each individual artist. Individuals may not claim their personal artwork directly from the library.

### **INTERLIBRARY LOAN / LINK+ (INN-REACH)**

Interlibrary Loan (ILL) allows Napa County Library card holders to get materials not available in the Napa County Library, Napa Valley College or Solano Community College collections. These materials are requested by the Napa County Library on behalf of library patrons to other institutions.

The Napa County Library also utilizes a service called Link+ that allows users to directly request materials held by other libraries within California. URL: <http://csul.iii.com/>

To use ILL and Link+, the Napa County Library card holder must be in good standing with the library and have an account balance less than \$10. However, the lending library may impose conditions of use and borrowing restrictions and the Napa County Library does not participate in international borrowing.

Library Card holders using ILL are limited to five requests at any given time, which includes requests that are pending, in process, shipped, and received/in use. Separate request cards must be completed for each individual request for each book title, periodical article, or genealogical request. ILL does not accept requests for books or materials published in the current year, or for materials already held by the Napa County Library, Napa Valley College or Solano Community College. Overdue items are not eligible for renewal and must be returned promptly. Renewals are granted at the lending library's discretion and must be requested before the due date. Only ILL staff can assist with renewal requests. Interlibrary Loans must be returned to the Napa County Library location of original check-out.

Genealogical and article requests may incur a fee of up to \$25 from the lending library.

The lending library will set the due date.

The borrower is financially responsible for damage or loss of materials borrowed which can be up to \$115 for Link+ and the lending library's valuation of the material for all ILL items.

All items must be returned with attached paperwork and or labels to avoid additional fees. Failure to follow guidelines may result in restriction or suspension of ILL privileges.

## INTERNET AND ELECTRONIC INFORMATION USE POLICY

The Napa County Library's mission is to enable Napa County's diverse population to acquire information, conduct life-long learning, pursue knowledge, explore ideas, find recreational and cultural enrichment and experience the pleasure of reading. The Library offers, for all ages, broad and relevant collections in a variety of formats, including databases, apps and other online resources as well as the broader internet connectivity through use of library provided computers and Wi-Fi connectivity.

### **The Internet**

The Internet, as an electronic information resource, enables the Library to provide information beyond the confines of its own collection. It allows access to ideas, information and commentary from around the globe. It is an unregulated medium. As such, while it offers access to a vast array of tools and resources that are personally, professionally and culturally enriching to individuals of all ages, it also enables access to some material that may be offensive, disturbing and/or illegal.

### **Disclaimer**

The Library does not endorse the viewpoints or vouch for the accuracy of information obtained through the internet. The Library cannot control or monitor material which may be accessible from internet sources. The Library's selection policies, which serve to govern the Library's purchase of materials, are not applicable to material accessed electronically. Library patrons use the internet and electronic databases at their own risk. The Library assumes no responsibility and shall have no liability for any direct, indirect or consequential damages arising from use of its connection to the internet.

### **User Responsibility**

Each individual user must accept responsibility for determining which electronic resources they will access and determining for themselves the relative value of the content. *Computer users are cautioned that the library is a public area that is shared by Library users of all ages, backgrounds, and sensibilities. Users of both their own devices and those provided by the library are asked to respect the sensibilities of others when accessing potentially offensive information or images.* The Library cannot censor access to material or protect users from offensive information. Since the internet is not secure, each user accepts personal and financial responsibility for information transmitted or received.

### **Ethical and Acceptable Use**

All users of electronic information resources such as the internet are expected to use these resources in a responsible manner, consistent with the educational and informational purposes for which they are provided. It is also expected that use will be in conformance with the Library's Behavior policy which is posted in the Library. It is unacceptable to use the Library's computer systems and internet resources for any purposes which violate the law or Library policies. The following is a list of unacceptable uses:

- Violation of applicable Federal or State laws.
- Use of the computers to gain access to the Library's networks or computer systems or to any other restricted network or computer system.

- Unauthorized use of computer accounts, access codes or network identification numbers.
- Violation of copyright laws or licensing agreements pertaining to software, files and other resources obtained electronically.
- Violation of another user's privacy or use of another's library card to gain access.
- Attempting to alter software configurations or to cause degradation of system performance.
- Engaging in any activity which is deliberately and maliciously offensive, libelous or slanderous.
- Installing or downloading any software.
- Disrupting or interfering with network users or services. Such interference or disruption includes but is not limited to: distribution of unsolicited advertising, harassment of others, propagation of computer viruses, and overuse of interactive network utilities (commonly referred to as Denial of Service Attacks -DoS.).
- Sending, receiving or displaying text or graphics which contain extremes of sex or violence that are an end to themselves, or which may reasonably be construed as obscene by contemporary statewide standards. The Library attempts to filter this content on its network.
- Tampering with, destroying or damaging equipment, software or data belonging to the Library.

### **Children's Access and Usage**

The Library affirms the right and responsibility of parents and guardians to determine and monitor their children's use of Library materials and resources. Restriction of a child's access to the internet is the responsibility of the parent or guardian; the Library does not have the right or responsibility to act in the place of the parent (in loco parentis). There will be some resources which parents or guardians may feel are inappropriate for their children. Parents or guardians should let their children know if there are materials which they do not want them to use. Parents or guardians are encouraged to work closely with their children in selecting and using materials and resources that are consistent with their own distinct family and personal viewpoints or values. Parents or guardians should supervise their children's internet sessions.

**Violation of Policies**

Users violating these or any other library policies and guidelines will be advised of the policies and asked to comply. Users who persist in violating these policies after previous warning, or if the behavior is considered so severe that they warrant immediate and continued exclusion, will be restricted from using the Library's on-line services.. The Library reserves the right to prohibit those who fail to use internet and computer workstations appropriately and reasonably from future access or use of the on-line services and may be suspended from using the library under the Library Use Policy. Illegal acts may subject violators to prosecution by local, State or Federal authorities

## LIBRARY PROGRAMS POLICY

In support of its mission, the Napa County Library sponsors and conducts programs which:

1. are informational, educational, cultural and recreational;
2. stimulate interest in and use of the library;
3. promote an awareness of contemporary issues while maintaining impartiality and sensitivity; and
4. attract non-users and reflect the need to connect programs with library resources as part of the process of creating lifetime library users.

Napa County Library is committed to the tenets of the American Library Association's Library Bill of Rights and its interpretation entitled "Library-Initiated Programs as a Resource." Both documents are included in the Library's Policy Manual, under Section 6.

The ultimate responsibility for library programs rests with the Library Director, who operates within the framework of the policies determined by the Napa County Board of Supervisors. The Library Director may delegate responsibility for program planning and presentation to Library Staff.

Selection of library program topics, speakers, etc. is made by library staff on the basis of the interests and needs of library users and the community. Library programming will not exclude topics, books, speakers, media and other resources because they might be controversial. The library does not conduct programming that is purely commercial or religious in nature.

Library programming may be planned in cooperation with other agencies, organizations and educational institutions.

All library programs shall be open to the general public, although some programs may be designed with specific audiences in mind, such as toddler's story times, parenting programs, etc. Programs targeted toward specific audiences will be publicized as such.

Most library-sponsored programs will be free to attend. However, the library reserves the right to present special programs, usually in cooperation with other entities, which require paid admission.

There may occasionally be a materials fee requested by the co-sponsoring agency when these materials cannot be reproduced by the library due to copyright or other restrictions. However, when there is a fee for materials, this fee will be stated up front and should not exceed the actual material costs to the presenter.

All materials to be used by a co-sponsoring body in a library-sponsored program must be approved by the library before the scheduled program occurs.

No individual or organization who presents a program at the library for public attendance is allowed to sell their product or services or collect names, addresses and/or phone numbers of attendees during

their presentation or during their time at the library. Excepted from this are authors who come to speak about books they have authored. Before or after the presentation, the author, the author's representative, or a bookstore arranged by the library may unobtrusively sell copies of the published work.

Program presentation at the library does not constitute library endorsement of any specific point of view, idea, strategy, financial plan or investment included in the programs content. Use of the organization's name or the business affiliation of a presenter may be used in the library's promotion of a program, but does not constitute endorsement, merely acknowledgment.

The Library's Behavior Policy applies to the conduct at library-sponsored programs. The maximum room capacity of the meeting space will be adhered to.

## **VOLUNTEER POLICY**

### **Philosophy**

Napa County Library believes that an effective volunteer force enhances the library's ability to provide quality services to the public. Furthermore, an active volunteer program is an integral part of the library's relationship with the community.

### **Principles**

1. A volunteer force brings a wide range of skills, talents, and experience from the community to the library.
2. A volunteer program provides community members the opportunity to gain an understanding of the nature and value of public library services.
3. Volunteerism provides opportunities for positive community service and work experience among a variety of age groups.
4. The volunteer force functions as an important supplemental element of the library's mission.
5. The library's volunteer program is governed by Napa County regulations and Napa County Library policies and procedures, which includes fingerprinting and background check for all volunteers 18 or older.
6. Volunteers assist the paid library staff in providing a variety of services beyond the scope of the regular library budget.
7. Volunteer services do not displace existing paid staff nor are volunteers expected to eliminate the need for additional paid staff that may result from changing conditions, budgetary allowances or implementation of the library's mission.

The administration of volunteer services is at the discretion of the Library Director whose responsibility is to operate the library with the highest possible degree of professionalism.

## CONFIDENTIALITY OF LIBRARY RECORDS

### Purpose

The purpose of this policy is to affirm the Napa County Library's dedication to the principle of confidentiality of library patron records and expectation of privacy when using library materials, and to identify those limited circumstances under which information regarding a patron's use of the library will be released to third parties.

### Scope

All records pertaining to the use of Napa County Library materials by a library patron shall remain confidential other than records relating to fines imposed on borrowers and, in accordance with Government Code section 6254(j); such confidential records will not be disclosed in response to requests under the Public Records Act (Government Code sections 6250 and following).

"Records" includes all forms of communication related to public business, except as noted above, including any writing, picture, sound, or symbol, whether paper, or other media.

No employee, volunteer or Commissioner shall make information regarding such records or a patron's use of the library's materials, equipment or facilities (other than the Library Community Room) available to any third party except in accordance with the court or other orders or search warrants described in this Policy. Records relating to fines imposed on borrowers must be disclosed when properly requested under the Public Records Act, as most rental agreements for use of the Community Room are disclosable public contracts.

The confidential patron records referred to in this Policy, whether print or electronic, include but are not limited to:

1. Circulation records from any library division;
2. Library card registration records;
3. Interlibrary loan requests;
4. Public computer usage and Wi-Fi connectivity, including website visits;
5. Patron material requests;
6. Reference requests received in person or via email, telephone, or virtual reference;
7. Program signup records; and
8. All other personally identifiable uses of library materials, facilities (other than the Community Room) or services, including computer usage and usage of materials owned by other libraries when the request or actual materials loaned are handled by the library.

The confidential information in these records includes, but is not limited to:

1. Subjects researched;
2. Materials consulted;
3. Individual titles borrowed; and
4. Patron name, address, phone number, driver's license or DMV identification card number, and social security number or tax identification number.

### **Disclosure of Confidential Information**

With the exception of library personnel performing their required library duties, library patron records may only be disclosed:

1. To the patron upon verification of identity;
2. To the parents of minor children under specific circumstances (see "Minors" below);
3. To anyone with prior written consent of the patron involved. The person requesting the information must provide photo identification with signature, along with the signed written consent of the patron or their library accounts must be formally linked through prior agreement; or
4. As required by law, such as but not limited to Court Orders and search warrants produced by local, state federal agencies, including Immigrations and Customs Enforcement (ICE), Library Staff shall refer all requests for information to Library Management .

The Napa County Library will honor a properly issued and served court order, subpoena or search warrant issued by an appropriate state or federal court, subject to the following procedures:

- a. Any employee who receives the request for library records shall ask for the identification of the person or entity making the request and then immediately refer such person or the agent or officer of that person or entity to the library manager or, in the absence of the library manager, to the person-in-charge of the library building.
- b. The library manager or person-in-charge should attempt to contact the library's legal counsel (Napa County Counsel) and to have such legal counsel present. In the event that legal counsel is not available, the library manager or person-in-charge should only meet with the requesting person or agent with another Library Staff member in attendance.
- c. If the requesting person or entity or the agent or officer of that person or entity does not have a court-issued order, subpoena or search warrant compelling production of the records, the library manager or person-in-charge shall explain the library's confidentiality policy and the State's confidentiality law and inform the person that library patron records are not available except when such an order, subpoena or search warrant has been presented.
- d. If the court order is in the form of a court-issued order or subpoena, before any records are produced the library's legal counsel shall examine the order or subpoena for any legal defect, including the manner in which it was served on the library, the breadth of its request, its form, or any insufficient showing of good cause made to the court.
- e. If the order is in the form of a duly issued search warrant, the agent or officer may legally begin the search of library records as soon as the library manager or person-in-charge is served with the order. However, the library manager or person-in-charge should ask to have the library's legal counsel present before the search begins in order to allow the library's legal counsel an opportunity to examine the sufficiency of the search warrant and to assure that the search conforms to the terms of the search warrant.
- f. If the order is a search warrant issued under the Foreign Intelligence Security Act, no information regarding the existence of the search warrant or of the records that have been produced pursuant to the warrant shall be disclosed to any other party, including the patron whose records are the subject of the search warrant. The library manager or person-in-charge does have the right to and

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shall seek legal advice concerning the warrant from the library's legal counsel and shall request that the library's legal counsel be present during the actual search and execution of the warrant.

### **Minors**

If a library cardholder is under the age of 18 and is not an emancipated minor, the parent or legal guardian (with acceptable identification) who signed for the child's card or who can provide proof of parental or legal guardian relationship may be given information regarding that child's record.

### **Library Records**

All patron use records of any library which is in whole or in part supported by public funds shall remain confidential and shall not be disclosed by a public agency, or private actor that maintains or stores patron use records on behalf of a public agency, to any person, local agency, or state agency except as follows:

- By a person acting within the scope of their duties within the administration of the library.
- If an individual in writing authorizes the release of their own records; or
- By Court Order.

As used in this section, the term "patron use records" is defined as:

1. Any written or electronic record, that is used to identify the patron, including, but not limited to, a patron's name, address, telephone number, or email address, that a library patron provides in order to become eligible to borrow or use books and other materials; or
2. Any written record or electronic transaction that identifies a patron's borrowing information or use of library information resources, including, but not limited to, database search records, borrowing records, and any other personally identifiable uses of library resources information requests, or inquiries.

This section shall not apply to statistical reports regarding patron use nor to records or other statistical reports collected by the library.

### **California Law**

This Policy is subject to all applicable state laws regarding confidentiality of library records, including California Government Code Section 6267.