



# Mississippi Valley Library District

Collinsville Memorial Library Center  
408 West Main Street  
Collinsville, IL 62234

Fairmont City Library Center  
4444 Collinsville Road  
Fairmont City, IL 62201

Historic Blum House  
414 West Main Street  
Collinsville, IL 62234

## POLICY MANUAL

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**[Section 1 reserved]**

## **2. GENERAL OPERATIONS**

### **2.1 Freedom of Information Act**

Records relating to the conduct of the business of the Mississippi Valley Library District are subject to inspection under the Freedom of Information Act [5 ILCS 140/1 et seq.] However, “library circulation and other records identifying library users with specific material” are specifically exempted [5 ILCS 140/7]. This exemption is consistent with the Library Records Confidentiality Act [75 ILCS 70/1].

Reviewed and Approved, 9/18/2017; revised 7/20/2020

#### **2.1.1 A brief description of our public body is as follows:**

The purpose of the Mississippi Valley Library District (hereafter “Library”) is to provide materials and services to meet the personal, intellectual, educational and recreational needs and interests of the members of the community. In order to fulfill this purpose, the Library will assemble, organize, preserve, and make easily and readily accessible to all people a variety of materials. The Library functions as a center for community activities, meetings, and programs which provides the opportunity for members of the community to experience personal enrichment and furtherance of knowledge.

The total amount of our operating budget for FY2024 is: \$1,288,692.16. Funding sources are property and personal property replacement taxes, grants, charges, and donations. Tax levies are:

- Corporate purposes (for general operating expenditures)
- IMRF (provides for employee’s retirement and related expenses)
- Social Security (employer’s FICA costs and related expenses)
- Audit (for annual audit and related expenses)
- Maintenance (for maintaining the building)
- Tort Liability (for insurance premiums, risk management, attorney’s fees and related expenses, unemployment, and worker’s compensation insurance)

The administrative office is located at 408 West Main Street, Collinsville, IL 62234. We have approximately the following number of persons employed: 12 full-time and 11 part-time.

The following organization exercises control over our policies and procedures: The Mississippi Valley Library District Board of Trustees, which typically meets monthly on the third Monday of each month, excluding December, 6:30 p.m., alternating between the Blum House, 414 W. Main, Collinsville, IL and the Fairmont City Library Center, 4444 Collinsville Road, Fairmont City, IL.

Members are:

- Jeanne Lomax, President
- Ginny York, Vice-President
- Lisa McCormick, Secretary
- Cathy Kulupka, Treasurer
- Kathy Murphy, Trustee
- Ana Romero-Lizana, Trustee
- Mark Schusky, Trustee

We are required to report and be answerable for our operations to: The Illinois State Library, Gwendolyn Brooks Building, 300 South Second Street, Springfield, Illinois.

Reviewed and Approved 9/18/2017; Revised 1/13/2020; 7/20/2020; 7/19/2021; 7/18/2022; 7/17/2023.

**2.1.2 You may request the information and the records available to the public in writing in the following manner:**

1. Use request form (appended hereto).
2. Your request should be directed to the following individual: Kyla Waltermire, FOIA Officer, Mississippi Valley Library District, 408 West Main St., Collinsville, IL 62234 or email at [kylaw@mvlid.org](mailto:kylaw@mvlid.org).
3. You must indicate whether you have a “commercial purpose” in your request.
4. You must specify the records requested to be disclosed for inspection or to be copied. If you desire that any records be certified, you must specify which ones.
5. To reimburse us our actual costs for reproducing and certifying the records (if requested), you will be charged the following fees:
  - a) There is no charge for the first fifty (50) pages of black and white text either letter or legal size. The actual copying cost of color copies and other sized copies will be charged.
  - b) \$.10 per page after the initial 50 pages
  - c) \$1.00 for certification of records by a Notary.
6. If the records are kept in electronic format, you may request a specific format and if feasible, they will be so provided, but if not, they will be provided either in the electronic format in which they are kept (and you would be required to pay the actual cost of the medium only, i.e. disc, disk, tape, etc.) or in paper as you select.
7. The office will respond to a written request within five (5) working days or sooner if possible. An extension of an additional five (5) working days may be necessary to properly respond.
8. Records may be inspected or copied. If inspected, an employee must be present throughout the inspection.
9. You may appeal the decision of the FOIA officer directly to the Public Access Counselor (of the Attorney General's Office).
10. The place and times where the records will be available are as follows: Mississippi Valley Library District, 408 West Main Street, Collinsville, IL 62234; Monday-Friday, 9:00 a.m. to 5:00 p.m.

Reviewed and Approved 9/18/2017; Revised 1/13/2020

**Freedom of Information Request: Mississippi Valley Library District**

Requester's Name (or Business Name) \_\_\_\_\_ Date of Request \_\_\_\_\_

Street Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zipcode \_\_\_\_\_

Phone Number \_\_\_\_\_ Certification requested: Yes\_\_\_ No\_\_\_

Description of records requested:  
 \_\_\_\_\_  
 \_\_\_\_\_

Is the reason for this request a "commercial purpose" as defined in the Act? Yes\_\_\_ No\_\_\_

Library Response (Requestor does not fill in below this line).

A P P R O V E D	<input type="checkbox"/> The documents request are enclosed <input type="checkbox"/> You may inspect the records at _____ On the date _____. <input type="checkbox"/> The documents will be made available upon payment of copying costs of \$_____ <input type="checkbox"/> For "commercial requests" only: the estimated time of when the documents will be available is _____, at the prepaid costs stated above.
D E N I E D	<input type="checkbox"/> The request creates an undue burden on the public body in accordance with Section 3(g) of the Freedom of Information Act, and we are unable to negotiate a more reasonable request. <input type="checkbox"/> The materials requested are exempt under Section 7 _____ of the Freedom of Information Act for the following reasons: _____ _____ <input type="checkbox"/> Request delayed, for the following reasons (in accordance with 3(D) of the FOIA). You will be notified by the date of _____ as to the action taken on your request.

This form cannot be MANDATORY under FOIA, but it is preferred.  
 Failure to use it may result in the request not being properly or promptly processed.

FOIA Officer: \_\_\_\_\_ Date of Reply: \_\_\_\_\_



## **2.2 Acceptable Conduct**

Patrons of the Mississippi Valley Library District (hereafter “Library”) are expected to conduct themselves in a manner that is not disruptive to others using the Library or to Library operations and does not cause damage or harm to Library patrons or materials/property. The safety and security of Library patrons, staff, and materials/property are the top priorities when determining compliance with acceptable conduct.

Although some conduct may be determined on a case-by-case basis, other acceptable conduct measures are expected from patrons at all times. These include:

- Complying with Library staff directives and all Library policies;
- Using respectful verbal and body language;
- Using the restrooms for their intended purposes only;
- Cleaning up after oneself, particularly regarding but not limited to food and beverage;
- Using furniture in its intended manner and in its designated location (staff must approve requests to move furniture);
- Keeping weapons off of Library property except for law enforcement (430 ILCS 66/);
- Smoking, vaping, or using tobacco products at least 15 feet from Library entrances;
- Abstaining from possessing or using alcohol or illegal substances, unless alcohol use is allowed under a specific circumstance outlined in another policy such as the Alcohol Policy or Meeting Spaces Policy;
- Wearing shoes and clothing that covers what are widely considered to be “private parts” (swimwear and underwear must be covered by other clothing);
- Speaking at a reasonable volume;
- Listening to audio with headphones or earbuds;
- Keeping personal belongings with oneself;
- Supervising children according to the Children in the Library policy;
- Storing bicycles and scooters outside at the bike rack (patrons are responsible for securing their items);
- Using sports equipment, hoverboards, and skateboards outside only and in a manner that does not cause damage to Library property;
- Receiving permission from the Assistant Director or the Executive Director to take photos or audiovisual recordings of Library staff, patrons, or property for commercial purposes. Amateur photography and recordings in public spaces and/or in areas where a presumption of privacy is not expected are permitted under the First Amendment;
- Using care with Library materials and property so as to prevent damage;
- Abstaining from any behaviors that are deemed illegal by local, state, or federal laws.

Reviewed and Approved 3/19/2018. Revised 11/15/2021; 4/17/2023.

### **2.2.1 Children in the Library**

Parents, guardians, and/or responsible caregivers are responsible for the behavior of their children while they are in the Library. The Library staff is committed to help children with activities related to the Library; however, Library staff cannot, nor is it their responsibility to, serve in loco parentis. Violations of this policy are grounds for suspension of Library privileges. Whenever advisable, the Library will notify the parent or guardian of incidents involving an unattended child.

Children under the age of ten (10) must be accompanied and supervised at all times by a parent, guardian, or other responsible caregiver.

Children ages ten (10) and older may use the Library unattended by a parent, guardian, or other responsible caregiver, subject to other Library policies.

When the safety of an unattended child is in doubt, or the parent, guardian, or responsible caregiver cannot be located, or if the Library is closing, Library staff are authorized to call the police and stay with the child until the police arrive. In the event that a child is at the Library ten (10) minutes after the Library closes to the public, the police will be called to pick up the child. Attempts will be made during that time to reach parents, guardians, or another responsible caregiver, but in no instance will Library staff take a child home.

Parents, guardians, and responsible caregivers are responsible for monitoring children's use of Library materials and resources, as Library staff is not responsible for restricting children's access.

Reviewed and Approved, 3/19/2018. Revised 4/17/2023.

### **2.2.2 Registered Sex Offender**

The Board of Trustees, Administration, and Staff of the Mississippi Valley Library District acknowledge that registered sex offenders live within the communities that we serve.

Public libraries are recognized as a community gathering place and a primary point for information of all kinds to be disseminated to the public. The Mississippi Valley Library District acknowledges that the right to some level of access to a public library is constitutionally protected under the First Amendment right to receive information. To that end, all individuals are welcome to our libraries, provided that in so doing they do not violate the law or any library policies/procedures.

The State of Illinois enacted the "Sex Offender Registration Act" (730 ILCS 150/1, et seq.) which requires all persons adjudicated sexually dangerous who are later released, or found to be no longer sexually dangerous and discharged, to register with proper local law enforcement authorities so that their whereabouts are known by these authorities. The "Sex Offender Registration Act" also prohibits child sex offenders from residing within 500 feet of a school, park, playground or other facility providing services exclusively to persons under the age of 18. As public libraries do not provide services exclusively to persons under the age of 18, registered sex offenders in Illinois can live within 500 feet of a public library.

#### **Areas of Access**

Whenever a registered sex offender wishes to enter a Mississippi Valley Library District facility, they need to be aware of the following limitations with regard to where they can go and what they can take part in while on library property.

Registered sex offenders may:

- Visit library collection areas intended for adults.
- Use a public computer. However, registered sex offenders will not be allowed to utilize the Internet stations located in the adult areas of the District's libraries as these same computers are also intended for use by teen-aged minors. Rather, registered sex offenders will be allowed to use laptops available for use within the library as availability permits.
- Request and receive quality adult reference service, place holds on library materials, check out materials with a library card in good standing, and otherwise receive access to library information.
- Attend library programming intended exclusively for adults.
- If they are the parent or legal guardian of a minor child (with proper documentation), a registered sex offender may accompany that child into areas of a library facility that are

primarily for the use of minor, into programs intended for minors, etc. so long as abuse is not suspected and the minor remains with the registered sex offender the entire time.

Registered sex offenders may not:

- Loiter or linger outdoors on library property.
- Loiter or linger in stairways or elevators or any other common areas of the library.
- Be present in any areas of a library facility that are primarily for the use of minors, including but not limited to: the Children's or Teens' Departments as a whole, any story time room or room being used for Children's or Teens' programming, and restrooms constructed in or near the Children's or Teens' Departments and primarily intended for use by Children or Teens.
- Attend library programming whose audience/participants can be reasonably expected to contain minors.

### **Expectations of Mississippi Valley Library District Staff**

With regard to staff knowledge of use of public library facilities by registered sex offenders, staff are not expected to regularly review the registered sex offender database. However, library staff may know that an individual is a registered sex offender because the individual has self-identified, law enforcement has provided identification, or staff may have independent personal knowledge. In such cases, the librarian in charge should be notified and should advise the sex offender of the Registered Sex Offender Policy.

If another patron advises staff that a registered sex offender is on the premises, the patron will be allowed to point out the individual and, if possible, provide the name of the alleged sex offender. The librarian in charge will then be notified and review the sex offender database to confirm whether the individual is a registered sex offender. If the individual is a registered sex offender, the librarian in charge will advise the sex offender of the Registered Sex Offender Policy. If the name of the purported sex offender cannot be obtained or the fact that the individual is a registered sex offender cannot be confirmed, the individual will not be approached and the governance of the Registered Sex Offender Policy will suffice.

*Reviewed and Approved, 3/16/2020*

### **2.2.3 Consequences for Conduct Violations**

Library staff are responsible for enforcement of the Acceptable Conduct policy. Enforcement is expected to maintain a safe and welcoming environment. Reasonable efforts will be made to respond to violations in a timely, respectful, direct, and equitable manner.

For violations unlikely to cause harm to others and which are not perceived to be threatening, the person in violation will be given at least one warning at the discretion of Library staff. If noncompliant behavior continues, the person will be made to leave the Library's premises for the remainder of the day.

For violations that are likely to cause harm to others or are perceived as threatening, the person in violation may be immediately removed from the Library's premises without first being given a warning.

If a patron's behavior constitutes an imminent serious threat to other people or Library property, or has already caused harm to others or Library property, Library staff will call law enforcement for assistance. Additionally, other types of unlawful activities will be immediately reported to local law enforcement. The Library reserves the right to press charges against anyone who commits criminal acts toward staff, patrons, or Library materials/property.

Library staff have the right to request identification of any patron who is in violation of Library policies.

Offering alternative Library services or service use, such as but not limited to curbside pickup, during an exclusion period may or may not be applicable, depending on the severity of the violation. Staff and public safety, as well as patron rights, will be considered.

Refusal to leave when requested may result in criminal trespass issued by law enforcement. In the case of a minor being issued a criminal trespass, the Library will attempt to contact the minor's parent/guardian to give notice of the trespass.

Exclusion from Library premises may be made for progressively longer times for repeated violations or when harm or potential harm are involved. These times range from one week to permanent exclusion and/or criminal trespass with loss of all Library privileges. Library staff may interview witnesses and use security camera footage in determining courses of action. If additional information surfaces about a violation, an exclusion length may be adjusted by Library staff.

In a situation where a group of people are implicated in a violation, Library staff will make reasonable efforts to ascertain who the responsible party/parties is/are. There may be situations in which the whole group is treated equally responsible.

75 ILCS 16/30-55.55 permits the Library's Board of Trustees to "exclude from the use of the library any person who willfully violates an ordinance or regulation prescribed by the board." On February 4, 1998 the Board of Trustees passed a resolution stating:

[T]he Library Director or such authorized designee in his or her absence shall be and is hereby authorized to promptly remove any person or persons from the Library premises who disrupts the peaceful use thereof, or the use and enjoyment thereof by its patrons or otherwise interferes with the operations of said Library, and is additionally authorized to request the assistance of the proper authorities when in his or her best judgment is required in keeping with the tenor of this Resolution."

Reviewed and Approved, 3/19/2018. Revised 4/17/2023.

#### **2.2.4 Exclusion Appeal**

A patron who has been excluded from the library, or the patron and their parent/guardian if the patron is a minor, may appeal the exclusion in writing to the Executive Director within ten (10) days of the exclusion's issuance. The Executive Director will consider testimony from the patron, Library staff involved in the incident(s), and witnesses to the incident(s). The Executive Director may uphold, modify, or cancel the exclusion. A written copy of the decision will be delivered or mailed within ten (10) days to the patron making the appeal. This decision may be appealed to the Board of Trustees in writing within ten (10) days of issuance of the Executive Director's decision. The Board of Trustees will consider testimony from the patron, Library staff, and witnesses. The Board of Trustees may uphold, modify, or cancel the exclusion. The Board of Trustees' decision is final.

Reviewed and Approved 4/17/2023.

### **2.3 Service Hours**

The Collinsville Memorial Library Center has the following hours of operation:

Monday-Thursday 8:30 AM - 8:00 PM

Friday-Saturday 9:00 AM - 6:00 PM

The Fairmont City Library Center has the following hours of operation:

Monday-Thursday 10:00 AM - 6:00 PM

Friday-Saturday 9:00 AM - 5:00 PM

The Blum House and grounds are closed to the public except for attendance at Library-sponsored events or by invitation to private rental events.

From time to time the Library will change its hours of operations temporarily, such as in the case of staff training sessions or holidays.

Reviewed and Approved, 3/19/2018. Revised 3/21/2022.

### **2.3.1 Loitering After Hours**

The Library has a no loitering policy for any individuals on Library property after hours of operation. The loitering policy will apply to temporary changes to operational hours in addition to the regular hours of operation for each facility. The policy includes the Collinsville Memorial Library Center at 408 West Main Street, Collinsville; the Blum House at 414 West Main Street, Collinsville; and the Fairmont City Library Center at 4444 Collinsville Road, Fairmont City as well as surrounding Library grounds, paved walkways, and Library-owned parking lots and any interior room or hallway.

Exceptions to this policy are limited to individuals attending private rentals and Library events.

Police will be called with or without warning to move loitering individuals as needed. Continued noncompliance of this policy may result in further legal action.

Reviewed and Approved, 3/19/2018

## **2.4 Social Media Policy**

### **2.4.1 Purpose of the Library's Social Media**

The Mississippi Valley Library District (hereafter "Library") has established social media sites in order to communicate with the public about Library programs, educational opportunities, events, promotions, materials, and to encourage dialogue and the exchange of information and knowledge between users and Library staff about these programs, events and materials. The Library's social media sites may also be used to notify the general public of Library employment opportunities. The Library's social media sites are not intended to be public forums for the general exchange of ideas and viewpoints. The Library does not make its social media accounts available for general public discourse, but rather reserves and limits the topics that may be discussed on its social media accounts. While the Library encourages dialogue, it respectfully requests that commenters be mindful that its social media sites are open to the public and that commenters be courteous toward the Library, staff, and one another.

Reviewed and Approved, 9/17/2018. Revised 3/20/2023.

### **2.4.2 Definitions**

- “Posting” shall mean any writing, image, video, audio file, and hyperlinks to other websites, or media which is downloaded, referenced, inserted, or placed upon any Library social media site.
  - “Social media” in this context refers to any of a number of platforms where an account holder can post written messages, images, audio, video, or multimedia files with the intention of sharing that information with other individuals or external groups. Examples include Facebook, Twitter, Tumblr, Flickr, Google+, Instagram, and many others.
- Reviewed and Approved, 9/17/2018

### **2.4.3 Postings and Restrictions**

The Library reserves the right to restrict or remove any content that is deemed to be in violation of this policy or any applicable law. Content that is deemed not suitable for posting by the Library because it is not topically related to the particular subject being commented on, or is deemed prohibited content based on the criteria below, shall be retained pursuant to the records retention schedule along with a description of the reason the specific content was deleted. Content and comments on the Library’s social media accounts containing any of the following forms of content and postings shall not be allowed:

- Commercial promotions, charitable solicitations, organized political activity, or spam.
- Personal attacks, insults, or threatening language.
- Private or personal information submitted without consent.
- Obscenity or pornography.
- Content that violates a copyright, trademark, or any other law.
- Content that promotes, fosters, or perpetuates discrimination and/or harassment on the basis of race, color, marital status, religion, national origin, sex, disability, age, sexual orientation, creed, ancestry, or any other protected category.
- Slanderous, libelous, or defamatory statements.

Reviewed and Approved, 9/17/2018

### **2.4.4 Professional Use and Employee Postings**

All employees are responsible for knowing and understanding the policy.

Library employees are allowed to post on the Library’s social media sites from personal accounts. The Library recognizes that public employees do not surrender all their First Amendment rights by reason of their employment and that the First Amendment protects a public employee’s right, in certain circumstances, to speak as a citizen addressing matters of public concern. However, when a public employee makes statements pursuant to his/her official duties, the employee is not speaking as a citizen for First Amendment purposes, and the Constitution does not insulate his or her communications from potential discipline by the Library. Employees must be aware that information they display or comments they make on Library social media sites may be viewed by other users as representing official Library sponsored information or comments. Before engaging in social media as a representative of the Mississippi Valley Library District, employees must be authorized to comment on behalf of the Library.

Employees should keep in mind the following best practices when posting content about Library-related subjects and issues:

- Employees that identify themselves as employees of the Library shall make it clear that the views expressed are their personal views and do not represent the views of the Library.
- Employees shall respect the Library’s confidential and proprietary information and shall not post information that is still in draft form or is confidential.

- Employees shall respect all Library patrons online as they do in person and on the phone. Comments about patrons in general, about specific questions from patrons, or about patron behavior are not appropriate.

A violation of this policy may subject an employee to discipline, up to and including termination.  
Reviewed and Approved, 9/17/2018

#### **2.4.5 Record Management and Preservation**

The Library will preserve the content of all social media postings in accordance with applicable laws and regulations. Comments and posts put on an agency's account by members of the public or other outside entities are not by default considered to be records, unless those comments trigger some action by the Library. The Library may turn comments on and off when appropriate.

##### **Disclaimer:**

All content posted on Library social media sites is subject to the Illinois Freedom of Information Act (FOIA) (5 ILCS 140/3(c)) and the State of Illinois record retention laws. Therefore, all Library social media sites shall clearly indicate that any articles and content posted or submitted for posting are subject to public disclosure.

The Library is not responsible or liable for the content of postings by third parties on any Library sponsored social media site, and third party postings do not reflect the opinions or positions of the Mississippi Valley Library District, its employees, or the Library Board of Trustees.

By posting on the Library's social media sites, you give the Library permission to use your name, profile picture, and the content of any posting you make without compensation to you or liability on the part of the Library. Users should be aware that third party websites have their own privacy policies and should proceed accordingly.

Users are personally responsible for their commentary. Users should be aware that they may be held personally liable for commentary that is defamatory, obscene, proprietary, or libelous by any offended party.

By joining, utilizing, and/or posting on the Library's social media sites, users agree to comply with this Policy and the Mississippi Valley Library District's Internet Use Agreement as applicable.

##### **Violations of this policy:**

Postings that the Executive Director or Assistant Director deem to have violated this policy may be removed in whole or in part by the Executive Director or Assistant Director. The Library reserves the right to terminate accounts, ban, or block users who have posted in violation of this policy on more than one occasion.

##### **Reporting Violations:**

Users may report violations of the Library's social media site's policies to the Executive Director by emailing [vickyh@mvlid.org](mailto:vickyh@mvlid.org)

Reviewed and Approved, 9/17/2018

#### **2.5 Insurance**

The Board of Trustees shall determine that the property of the Library is adequately insured against loss and damage. The Board shall likewise determine that the Library carries adequate general public liability insurance, workers' compensation, errors and omission insurance for the Board, and any other type of insurance that it considers necessary. The insurance program shall be reviewed as needed by the Board.

Reviewed and Approved, 3/19/2018

## **2.6 Finances**

### **2.6.1 Investment of Public Funds**

The purpose of this policy statement is to outline the responsibilities, general objectives, and specific guidelines for management of public funds by the Mississippi Valley Library District (hereafter "Library"). Its scope is all public funds of the Library.

Reviewed and Approved, 5/21/2018

#### **2.6.1.1. Responsibilities**

All investment policies and procedures of the Library will be in accordance with Illinois law. The authority of the Library Board of Trustees to control and invest public funds is defined in the Illinois Public Funds Investment Act and the investments permitted are described therein.

Administration and execution of these policies are the responsibility of the Treasurer who is hereby designated as the Chief Investment Officer (CIO) of the Library acting under the authority of the Library Board of Trustees.

Reviewed and Approved, 5/21/2018

#### **2.6.1.2 Delegation of Authority**

Management and administrative responsibility for the investment program is hereby delegated to the CIO. The CIO and by designation, the Executive Director, are responsible for establishing internal controls and written procedures for the operation of the investment program.

Reviewed and Approved, 5/21/2018

#### **2.6.1.3 "Prudent Person" Standard**

Library investment activities shall use a "prudent person" standard of care. This standard shall be applied in the context of managing an overall portfolio and specifies that investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital, as well as the probable income to be derived. Investment officers, acting in accordance with this policy and the written procedures of the Library, and exercising due diligence, shall be relieved of personal responsibility for a security's credit risk or market price/value changes, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

Reviewed and Approved, 5/21/2018

#### **2.6.1.4 Objectives**

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

- Legality (conforming with all legal requirements)
- Safety (preserving capital and including diversification appropriate to the nature and amount of the funds)
- Liquidity (maintaining sufficient liquidity to meet current obligations and those reasonably to be anticipated)
- Yield (attaining a market rate of return on investments)
- Simplicity of management

Reviewed and Approved, 5/21/2018

#### **2.6.1.5 Guidelines**

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

- Legality and Safety:



- Investments will be made only in securities guaranteed by the U.S. Government, or in FDIC insured institutions including SAIF of the FDIC. Deposit accounts in banks or savings and loan institutions will not exceed the amount insured by FDIC coverage (unless adequately collateralized pursuant to Regulations of the Federal Reserve regarding custody and safekeeping of collateral).
- Authorized investments include and will primarily consist of Certificates of Deposit Treasury Bills and other securities guaranteed by the U.S. Government, participation in the State of Illinois Public Treasurer's Investment Pool, and any other investments allowed under State law that satisfy the investment objectives of the library district.
- Liquidity:
  - In general, investments should be managed to meet liquidity needs for the current month plus one month (based on forecasted needs) and any reasonably anticipated special needs.
- Yield/Return on Investment:
  - Within the constraints on Illinois law, considerations of safety, and this investment policy, every effort should be made to maximize return on investments made. All available funds will be placed in investments or kept in interest bearing deposit accounts.
- Simplicity of management:
  - The time required by library administrative staff to manage investments shall be kept to a minimum.

Reviewed and Approved, 5/21/2018

#### **2.6.1.6 Sustainability**

Pursuant to 40 ILCS 5/1-113.6 and 1-113.17, the Library shall include material, relevant, and decision-useful sustainability factors that will be considered by the Board, within the bounds of financial and fiduciary prudence in evaluating investment decisions. These factors consist of but are not limited to:

- Corporate governance and leadership factors
- Environmental factors
- Social Capital factors
- Human capital factors
- Business model and innovation factors

In addition, the Library's efforts will include the following:

- Periodic evaluation of sustainability factors to ensure the factors are relevant to the Library's investment portfolio and the evolving marketplace;
- Periodic monitoring of investment managers to encourage implementation of the aforementioned factors.

Reviewed and Approved, 6/15/2020

#### **2.6.1.7 Reporting**

Investments, fund balances and the status of such accounts will be reported at each regularly scheduled meeting of the Library Board of Trustees and at least quarterly include information regarding securities in the portfolio by class or type, book value, income earned, and market value as of the report date. At least annually, the CIO shall review this policy for any needed modifications and report to the Library Board on the investment portfolio, its effectiveness in meeting the Library's need for safety, liquidity, rate of return, diversification, and general performance.

Reviewed and Approved, 5/21/2018

#### **2.6.1.8 Internal Controls**

In addition to these guidelines, the CIO shall establish a system of internal controls designed to prevent loss, theft or misuse of funds.

Reviewed and Approved, 5/21/2018

#### **2.6.1.9 Authorized Financial Dealers and Institutions**

Any investment advisors, money managers, and financial institutions shall be considered and authorized only by the action of the Library Board of Trustees upon the recommendation of the CIO. The CIO will maintain a list of financial dealers and institutions authorized to provide investment services.

Reviewed and Approved, 5/21/2018

#### **2.6.1.10 Conflicts of Interest**

Officers and employees involved in the investment process shall refrain from personal business activities that might conflict with the proper execution and management of this investment program, or that could impair their ability to make impartial decisions, or that could give the appearance of impropriety.

Reviewed and Approved, 5/21/2018

### **2.6.2 Purchasing and Authority to Spend**

The procurement of materials, services, and equipment shall be a direct responsibility of the Executive Director and library staff to whom the Executive Director assigns these duties. Adoption of the annual budget authorizes the Executive Director to purchase items included in the budget. The Executive Director is authorized to enter into contracts on behalf of the Library.

The Executive Director is authorized to spend up to \$5,000 on any single unbudgeted item without Board of Trustees approval.

The Executive Director is authorized to spend up to \$10,000 on any single unbudgeted item with the approval of the two of the three following Board of Trustees officers: President, Vice President, or Treasurer. The Executive Director shall inform the whole Board of authorizations made under this provision.

The Executive Director is authorized to spend over \$10,000 but less than \$25,000 on any single item, budgeted or unbudgeted, with the majority approval of the Board of Trustees. The Library may spend in excess of \$10,000 but less than \$25,000 only after completing an informal request for quotes from two or more vendors except in instances of renewed or existing contracts and/or when there is only one available service provider.

In accordance with Illinois law (75 ILCS 16/40-45 and 75 ILCS 5/5-5), all purchase orders or contracts for products and services in excess of \$25,000 shall be awarded after an open, competitive bidding process.

In case of extreme emergency, the Executive Director, with the approval of the two of the three following Board of Trustees officers: President, Vice President, or Treasurer, is authorized to spend necessary funds, so long as the amount does not exceed the threshold requiring a formal bidding process. The Executive Director shall inform the whole Board of authorizations made under this provision.

Exceptions to the above spending limits include distribution of payroll, costs associated with an existing grant or contract, and the expenditure of funds designated as gifts.

Reviewed and Approved 1/11/2021

## **2.7 Non-Discrimination and Anti-Harassment**

The Mississippi Valley Library District (hereafter “Library”) is committed to maintaining a work environment that is free of all forms of discrimination and harassment, including sexual harassment, which are all illegal under the Illinois Human Rights Act (IHRA) and Title VII of the U.S. Civil Rights Act of 1964 (Title VII). In keeping with this commitment, the Library will not tolerate discrimination against or harassment by anyone, including any supervisor, employee, vendor, customer, consultant, contractor, board member, or other visitor of the Library. Violation of this policy shall be considered grounds for disciplinary action up to and including termination.

### **2.7.1 Discrimination**

Discrimination consists of employment actions taken against an individual based on an actual or perceived characteristic protected by law, such as sex, race, color, ancestry, national origin, citizenship status, religion, age, disability, marital status, sexual orientation, gender identity, pregnancy, military or veteran status, genetic information, order of protection status, or any other category protected by applicable law. In other words, discrimination occurs when an individual is treated differently or unequally because the individual is a member or perceived member of a protected group.

### **2.7.2 Harassment**

Harassment consists of unwelcome conduct, whether verbal, physical, or visual, that is based upon a person’s actual or perceived protected status such as race, color, ancestry, national origin, citizenship status, religion, sex, pregnancy, sexual orientation, gender identity, age, disability, marital status, military or veteran status, genetic information, order of protection status, or any other category protected by applicable law. The Library will not tolerate harassing conduct that affects tangible job benefits, interferes unreasonably with an individual’s work performance, or creates an intimidating, hostile or offensive working environment.

The conduct forbidden by this policy specifically includes, but is not limited to: (a) epithets, slurs, negative stereotypes or intimidating acts that are based on a person’s protected status; and (b) written or graphic material circulated within or posted within the workplace that shows hostility toward a person because of his or her protected status.

### **2.7.3 Sexual Harassment**

Sexual harassment, as defined by the IHRA, consists of unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature where:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of a person’s employment;
2. Submission to or refusal to engage in such conduct is used as the basis for any employment decisions affecting such individual; or

3. Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Sexual harassment, as defined above, may include, but is not limited to:

1. Uninvited sex-oriented verbal "kidding" or demeaning sexual innuendoes, leers, gestures, teasing, sexually explicit or obscene jokes, remarks or questions of a sexual nature;
2. Graphic or suggestive comments about an individual's dress or body;
3. Displaying sexually explicit objects, photographs, writings, or drawings;
4. Unwelcome touching, such as patting, pinching or constant brushing against another's body; or
5. Suggesting or demanding sexual involvement of another individual, whether or not such suggestion or demand is accompanied by implicit or explicit threats concerning one's employment status or similar personal concerns.

Even if two or more individuals are engaging in consensual conduct, such conduct could constitute harassment of or discrimination against another individual who witnesses or overhears the conduct.

#### **2.7.4 Investigation Procedure**

Everyone is responsible to help ensure that harassment and discrimination do not occur and are not tolerated. An individual who believes that they has been subjected to sexual or other types of harassment or discrimination, or who has witnessed harassment or discrimination, should immediately submit a complaint to their supervisor or any other manager or supervisor. If a manager or supervisor receives a complaint of harassment or discrimination or becomes aware of such conduct, the complaint or conduct shall be immediately reported to the Executive Director.

The Executive Director, or their designee, shall promptly investigate all complaints and make all reasonable efforts to resolve the matter informally. These efforts may include, but are not limited to, convening conferences with the complainant and/or the accused harasser/discriminator to discuss the complaint and the results of the investigation.

Complaints by an elected/appointed official against another elected/appointed official shall be submitted to the Executive Director. The Executive Director shall, in consultation with legal counsel for the Library, ensure that an independent review is conducted with respect to such allegations.

The right to confidentiality, both of the complainant and of the accused, will be respected consistent with the Library's legal obligations and with the necessity to investigate allegations of misconduct and to take corrective action when this conduct has occurred.

A substantiated complaint against an employee will subject the individual to disciplinary action, up to and including termination. The Library will also take appropriate action to address a substantiated complaint of discrimination or harassment by a third party or non-employee. If an investigation results in a finding that the complainant falsely accused another of harassment or

discrimination knowingly or in a malicious manner, the complainant will be subject to appropriate discipline, including the possibility of discharge.

### **2.7.5 Retaliation Prohibited**

Reporting harassment or discrimination or participating in an investigation will not reflect adversely upon an individual's status or affect future employment. Any form of retaliation against an individual who reports harassment or discrimination or participates in an investigation is strictly prohibited by the Illinois Human Rights Act, the Illinois State Officials and Employees Act, the Illinois Whistleblower Act, Title VII of the U.S. Civil Rights Act of 1964, and Library policy. Any individual who retaliates against another for exercising their rights under this policy shall be subject to discipline, up to and including termination.

### **2.7.6 Resolution Outside Employer**

The purpose of this policy is to establish prompt, thorough and effective procedures for responding to every complaint and incident so that problems can be identified and remedied internally. However, an individual has the right to contact the Illinois Department of Human Rights (IDHR) and/or the Equal Employment Opportunity Commission (EEOC) about filing a formal complaint. An IDHR or EEOC complaint must be filed within 300 days of the alleged incident(s) unless it is a continuing offense.

**Adopted by Ordinance 18-04 01/08/2018; Revised 11/18/2019**

## **2.8 Security Cameras**

### **2.8.1 Purpose of Security Cameras**

The Mississippi Valley Library District (hereafter "Library") has security cameras to enhance the safety and security of Library patrons, staff, and property. Security cameras are used to discourage illegal behavior and policy violations, to enhance the opportunity to apprehend offenders, and to provide recorded data relevant to the control of Library security and operations. The security camera installation consists of dedicated cameras providing real-time surveillance and recorded archival data. There is no audio recording associated with the cameras.

**Adopted: 07/17/2017**

### **2.8.2 Signage**

The Library posts signs at all public entrances alerting patrons to the use of security cameras for monitoring and recording on Library property, both inside and outside.

**Adopted: 07/17/2017**

### **2.8.3 Staff Access to Digital Images**

Live surveillance and recorded data are accessible in staff areas only. Only the following administrative staff members are permitted to release recorded archival data to law enforcement in compliance with this policy: Executive Director, Assistant Director. Such authorized administrative staff may direct other staff to access and isolate live or recorded data related to a specific incident or may ask other staff to view live or recorded data in order to ascertain security concerns. Authorized staff shall notify the Executive Director whenever archival video data is accessed.

**Adopted: 07/17/2017**

### **2.8.4 Acceptable Use and Patron Privacy**

**a. Activity on Library Property**

Authorized staff may use live surveillance, a still shot, or selected portions of recorded data to access the security risk of a specific individual, to investigate a crime on library property, to request law enforcement assistance, to validate serious or repeated policy violations, to alert staff to banned or repeatedly disruptive individuals, or to address internal security/operational concerns. In the discharge of such duties, authorized staff members are permitted to connect the recorded digital image with identification data available on the Library's patron databases.

Adopted: 07/17/2017

**b. Requests from Law Enforcement and Department of Children and Family Services (DCFS)**

Authorized staff may use live surveillance or recorded data to cooperate with DCFS or law enforcement investigations of criminal activity, missing persons, or runaways. Any such video data provided to law enforcement or DCFS will be with the knowledge and authorization of the Executive Director when possible. If the Executive Director cannot be reached in a timely manner, the Assistant Director may provide authorization.

Adopted: 07/17/2017

**c. Privacy**

In all other respects, recorded data will be accorded the same level of confidentiality and protection provided to Library patrons by Illinois State law, the Library's policies, and the American Library Association's policies on confidentiality and privacy, with footage released only in accordance with and as required by law.

Adopted: 07/17/2017

**2.9 Identity Protection Policy**

I. It is the policy of the Mississippi Valley Library District (hereafter "Library") to protect social security numbers from unauthorized disclosure in accordance with the Illinois Identity Protection Act, 5 ILCS 179/1 *et. seq.* All employees of the Library are required to comply with this Identity Protection Policy (hereafter "Policy"). For purposes of this Policy, only, "employee" shall be defined as any person performing work on behalf of the Library including, but not limited to, full-time, part-time, seasonal, temporary or contractual employees, volunteers, interns, and elected or appointed officials.

II. Any employee of the Library who has access to social security numbers in the course of performing their duties will be trained to protect the confidentiality of social security numbers and will be trained on the requirements of this Policy. Training will include instructions on the proper handling of information and documents that contain social security numbers from the time of collection through the destruction of the information or documents.

III. The Library prohibits the following:

- A. Publicly posting or publicly displaying in any manner an individual's social security number;
- B. Printing an individual's social security number on any card required for the individual to access products or services provided by the Library;
- C. Requiring an individual to transmit his or her social security number over the Internet, unless the connection is secure or the social security number is encrypted;
- D. Printing an individual's social security number on any materials that are mailed to the individual, through the U.S. Postal Service, any private mail service, electronic

mail, or any similar method of delivery, unless State or federal law requires the social security number to be on the document to be mailed.

IV. Notwithstanding any provision in this Policy to the contrary, social security numbers may be included in applications and forms sent by mail, including, but not limited to, any material mailed in connection with the administration of the Unemployment Insurance Act, any material mailed in connection with any tax administered by the Department of Revenue, and documents sent as part of an application or enrollment process or to establish, amend, or terminate an account, contract, or policy or to confirm the accuracy of the social security number. A social security number that may be permissibly mailed under this Policy may not be printed, in whole or in part, on a postcard or other mailer that does not require an envelope, or be visible on an envelope without the envelope having been opened.

V. The Library prohibits the following:

A. The collection, use or disclosure of a social security number from an individual, unless

(i) required under State or federal law, rules, or regulations, or the collection, use, or disclosure of the social security number is otherwise necessary for the performance of that agency's duties and responsibilities;

(ii) the need and purpose for the social security number is documented before collection of the social security number; and

(iii) the social security number collected is relevant to the documented need and purpose;

B. Requiring an individual to use his or her social security number to access an Internet website;

C. Using the social security number for any purpose other than the purpose for which it was collected.

VI. Notwithstanding any provision in this Policy to the contrary, social security numbers may be collected, disclosed or used in the following circumstances:

A. The disclosure of social security numbers to agents, employees, contractors, or subcontractors of a governmental entity or disclosure by a governmental entity to another governmental entity or its agents, employees, contractors, or subcontractors if disclosure is necessary in order for the entity to perform its duties and responsibilities, and if disclosing to a contractor or subcontractor, prior to such disclosure, the individual acting on behalf of the Library first receives from the contractor or subcontractor a copy of the contractor's or subcontractor's policy that sets forth how the requirements imposed under this Policy of protecting an individual's social security number will be achieved;

B. The disclosure of social security numbers pursuant to a court order, warrant, or subpoena;

C. The collection, use, or disclosure of social security numbers in order to ensure the safety of: State and local government employees; persons committed to correctional facilities; local jails, and other law enforcement facilities or retention centers; wards of the State; youth in care as defined in Section 4d of the Children and Family Services Act, and all persons working in or visiting a State or local government agency facility;

D. The collection, use, or disclosure of social security numbers for internal verification or administrative purposes;

E. The disclosure of social security numbers by a State agency to any entity for the collection of delinquent child support or of any State debt or to a government agency to assist with an investigation or the prevention of fraud;

F. The collection or use of social security numbers to investigate or prevent fraud, to conduct background checks, to collect a debt, to obtain a credit report from a consumer reporting agency under the federal Fair Credit Reporting Act, to undertake any

permissible purpose that is enumerated under the federal Gramm-Leach-Bliley Act, or to locate a missing person, a lost relative, or a person who is due a benefit, such as a pension benefit or unclaimed property benefit.

- VII. Only employees who are required to use or handle information or documents that contain social security numbers are permitted to have access to such information or documents.
- VIII. When the Library must request an individual provide a social security number, it must be provided in a manner that makes the social security number easy to redact if the record is required to be released as part of a response to a public records request.
- IX. When collecting a social security number, or upon request by an individual, the Library will provide a statement of the purpose or purposes for which the Library is collecting and using the social security number provided.
- X. Any individual responding to a Freedom of Information Act request or other request for records, must redact social security numbers from the information or documents before allowing the public inspection or copying of the information or documents.
- XI. This Policy does not apply to the collection, use or disclosure of a social security number as required by State or federal law, rule, or regulation.
- XII. This Policy does not apply to documents that are recorded with a county recorder or required to be open to the public under any State or federal law, rule or regulation, applicable case law, Supreme Court Rule, or the Constitution of the State of Illinois. Notwithstanding this section, county recorders must comply with 5 ILCS 179/35.
- XIII. If a federal law takes effect requiring any federal agency to establish a national unique patient health identifier program, any employee of the Library that complies with that federal law shall be deemed to be in compliance with this Policy.
- XIV. The Library prohibits the encoding or embedding of a social security number in or on a card or document, including, but not limited to, using a bar code, chip, magnetic strip, RFID technology, or other technology, in place of removing the social security number as required by this Policy.
- XV. This Policy must be provided to the Board of Library Trustees of the Mississippi Valley Library District within thirty (30) days of approval and employees will be promptly advised of the existence of this Policy and will be provided a copy of this Policy promptly upon approval.
- XVI. The Library will make a copy of this Policy available to any member of the public, upon request.
- XVII. If this Policy is amended in the future, a copy will be provided to the Board of Library Trustees of the Mississippi Valley Library District and employees will be promptly advised of the amended Policy and provided with a copy of the Policy.
- XVIII. This Policy does not supersede any more restrictive law, rule, or regulation regarding the collection, use or disclosure of social security numbers.
- XIX. Anyone violating this policy is subject to disciplinary action, up to and including termination of employment and/or criminal prosecution as provided in 5 ILCS 179/45 or any other applicable law.

Adopted: 06/18/2018

## **2.10 Petition and Distribution of Literature**

Circulation of petitions and distribution of literature is allowed outside of the library buildings and must be conducted either to the left or right of either entrance. This activity may not disrupt library operations, impede people from entering or leaving the library, or create unsafe traffic patterns on the library's sidewalks or parking lots; it is not allowed inside the library buildings.



No more than one individual/group may engage in this activity at the same time. Each occurrence must be scheduled at least 24 hours in advance by notifying the Executive Director, Assistant Director, or appropriate Circulation Supervisor.

Approval of these activities does not constitute Library endorsement of the philosophies, practices, or viewpoints of participants.

**Adopted: 07/23/2018**

### **2.10.1 Election Day**

Circulation and/or distribution of any literature with respect to campaigns for elected office or issues to be placed on a ballot will be allowed outside only and must be conducted at a distance of 100 feet (in an arc) from the front door of the polling place. This footage is outside near the public parking lot next to the Collinsville Memorial Library Center because the entrance to the polling place is in the library center's Community Room. Any complaints should be directed to the Madison County Election office or the Madison County Attorney General's office. This activity may not disrupt library operations, impede people from entering or leaving the library, or create unsafe traffic patterns on the library's sidewalks or parking lots.

**Adopted: 07/23/2018**

## **2.11 Bloodborne Pathogen Policy**

While normal library operations are not likely to involve circumstances exposing employees or users to bloodborne pathogens, the Mississippi Valley Library District (hereafter "Library") complies with Illinois Department of Labor regulations and therefore the federal Occupational Safety and Health Administration (OSHA) regulations relating to occupational exposures to bloodborne pathogens which have been incorporated by administrative actions.

**Reviewed and Approved, 5/21/2018**

### **2.11.1 Exposure Determination**

No particular job classification of the Library has occupational exposure (meaning "reasonably anticipated contact with blood or other potentially infectious materials that may result from the performance of an employee's duties"), however, emergencies may occur with staff or patrons to which library employees in all classifications may be called upon to respond with assistance. Additionally, emergencies with "out of control" individuals (e.g. biting, spitting, etc.) could present an individual threat.

**Reviewed and Approved, 5/21/2018**

### **2.11.2 Universal Precautions**

All potential circumstances of exposure must be taken into account by the Library and its employees to protect against exposures. Hepatitis B (HBV), human immunodeficiency virus (HIV), and other bloodborne pathogens found in human blood and other body fluids cause life threatening diseases. In emergency or other such circumstances, when contact with blood or other potentially infectious materials may result, the Library's approach to infection control requires all human blood and body fluids to be treated as if known to be infectious for any bloodborne pathogen. Engineering and work practice controls shall be used to eliminate or minimize employee exposures, and if a possibility of exposure remains, personal protective equipment shall also be used.

**Reviewed and Approved, 5/21/2018**

### **2.11.3 Exposure Control Plan**

At any time within the Library environment that human blood, human body fluids, or other potentially infectious materials are presented, the area contaminated shall be immediately cordoned off and quarantined, even if the entire Library must be closed to accomplish this completely. Personal protection clothing, such as gloves, masks, etc., shall be provided and used in the cleanup and safe disposal of contaminated waste such as diapers, blood-tinged materials (e.g. bandages, gauze, cotton, clothing, etc.). If advisable, a professional hazardous/contaminated cleanup firm shall be contacted and retained for complete cleanup and decontamination. The quarantine shall be effective until complete cleanup and disposal is obtained. Hand-washing facilities are provided by the Library and must be used by the employees as soon as feasible, including following the removal of personal protective equipment. A complete record of all incidents, exposures, cleanup, and disposals shall be kept as required by OSHA regulations.

Reviewed and Approved, 5/21/2018

## 2.12 Alcohol Policy

The Mississippi Valley Library District (hereafter "Library") is a cultural hub within the communities served by the Library. As such, the Library's Board of Trustees recognizes that from time to time it may be reasonable and beneficial to allow alcohol to be served in Library facilities or on Library property during fundraising events or during programs of a cultural or educational nature.

Therefore, the Library Board of Trustees hereby establishes this policy in compliance with applicable state and local laws and with the following parameters set forth:

1. When Alcohol Is Allowed
  - a. The serving of alcohol will only be permitted at Library events.
  - b. The serving of alcohol will not be permitted at any event unless first pre-approved by the Executive Director - acting as the daily operations manager for the Board of Trustees - in compliance with this policy.
  - c. Outside groups or individuals conducting a meeting or event at the Library are not allowed to serve alcohol while using Library meeting spaces unless the event meets the criteria set forth previously in section 1 or as outlined in other applicable policies such as the Meeting Spaces policy.
  
2. Where Alcohol Is Allowed
  - a. Alcohol may be served at pre-approved events held within an enclosed or controlled space, such as a meeting room or conference room or throughout a Library facility or its grounds so long as there is a means by which to (1) prevent access to the general public, (2) prevent alcohol from being removed from the premises by attendees, and (3) steps are taken to prevent the sale or distribution of alcohol to persons under the age of 21.
    - i. Events taking place in the public part(s) of a Library facility are limited to times outside of Library business hours so as to best limit entry to the events to persons age 21 or over.
  
3. The Serving of Alcohol

- a. Alcohol may be served at pre-approved events by catering staff secured for such purpose by the Library.
- b. Alcohol may be served at pre-approved events by any library staff member or volunteer who is of legal age and designated by the Executive Director to do so.
- c. The Library reserves the right for its staff, contractors, and representatives to refuse the distribution or sale of alcohol to any guest who appears to be intoxicated, inebriated, or impaired due to alcohol consumption.
- d. Attendees are prohibited from bringing outside beverages to the event or program.
- e. To prevent underage drinking, events will be limited to persons over the age of 21, or acceptable forms of identification will be checked and persons over the age of 21 easily identified by servers. Acceptable forms of identification include a valid driver's license or photo ID card issued by the Illinois Secretary of State's Office or any other State, a valid Armed Forces ID, a valid United States passport or foreign passport (with U.S. travel visa) containing the holder's photograph, or other appropriate forms of identification acceptable under the Illinois Liquor Control Act of 1934.

#### 4. Allowable Event Types

- a. Fundraisers
- b. Cultural Programs
- c. Educational Programs

#### 5. Dram Shop Liability Insurance

- a. The Illinois Liquor Control Act of 1934 [235 ILCS 5/ 6-21(a)] requires the Illinois Comptroller to determine each year the liability limits for causes of action brought under the Act.
- b. Per Illinois Public Act 99-0559, when serving alcohol the Library must provide dram shop liability insurance with a coverage limit that saves harmless the Library from all financial loss, damage, or harm under the maximum liability limits set forth in the Illinois Liquor Control Act of 1934.
- c. The Library's dram shop liability insurance is determined annually. The Executive Director shall ensure that said dram shop liability insurance meets the parameters set forth in this policy before approving any programs or events where alcohol is to be served.
- d. Third party vendors/caterers shall maintain dram shop liability insurance in maximum insurance coverage limits so as to hold harmless the Library from all financial loss, damage, or harm. Proof of such insurance shall be provided with the Library named as an Additional Insured on such coverage.

#### 6. General Rules and Restrictions

- a. All rules put forth in other Library policies shall remain in effect during events where alcohol is served. This includes, but is not limited to, the Meeting Spaces policy and the Acceptable Conduct policy.
- b. Purposely deceiving Library staff, volunteers, contractors, or other representatives in order to unlawfully gain access to an event where alcohol is served is a crime and will be reported to the proper authorities.

- c. If any provision of this policy conflicts with any provision of the Illinois Liquor Control Act, the provisions of the Act shall prevail.
- d. The Library, its officials, its employees, and anyone involved in events where alcohol is provided will comply with all federal, state, and local laws applicable.
- e. The Library must obtain any required state or local liquor licenses from the appropriate liquor commissioner.

This policy is not all-inclusive; approval of individual situations not described here will be determined by the Executive Director. Waiver of any prohibitions in this policy may be requested by written application directed to the Board of Trustees.

The Board of Trustees reserves all rights and discretion with respect to enforcing this policy.

Reviewed and Approved 11/15/2021. Revised 3/20/2023.

## **2.13 Volunteers and Community Service**

Volunteers and community service workers are an important extension of the Library's operations. Volunteers perform a wide variety of tasks that are important to the Library. The following is designed to promote a maximum degree of excellence.

### **2.13.1 Definitions**

"Volunteer" is defined as one who performs a service of their own free will; who contributes time, energy, and/or talents directly to or on behalf of the Library; and who is not paid by the Library for their efforts.

"Community service" is defined as work that is done without pay to help people in a community or to assist organizations benefiting the whole community, and the work is required by an organization or governmental entity.

"Community service worker" is an individual required to complete community service. Examples include students who are required to complete a set amount of community service for inclusion in extracurricular activities and individuals who are ordered by a court to complete community service as part of their sentence.

### **2.13.2 Guidelines for Volunteers and Community Service**

- Potential volunteers and community service workers are encouraged to reach out to the Library to express their interest in volunteering.
- Volunteers and community service workers are responsible for providing the Library with a copy of their paperwork for tracking hours completed.
- All personal information requested, recorded, and/or retained by the Library is for internal use only; however, information may be eligible for disclosure under the Freedom of Information Act.
- Volunteers under the age of 18 years of age are required to have permission from their parent/guardian to serve as volunteers.
- Any volunteer who is volunteering on a basis of at least once per month must successfully pass a background check prior to the start of their service.

- Volunteers and community service workers will coordinate tasks and work schedules with Library staff. The Library cannot guarantee the availability of tasks, as work is based on Library needs.
- Volunteers and community service workers will notify Library staff of changes to their schedule as soon as feasible. Three “no-call, no-shows” will disqualify an individual from further service with the Library.
- Volunteers and community service workers will comply with all Library policies and applicable laws.
- Volunteers and community service workers will not be in staff-only areas without express permission and/or supervision from Library staff supervising their work.
- The Library reserves the right to terminate the services of any volunteer or community service worker.
- Volunteers and/or community service workers may not be used to replace or reduce the number of paid Library staff.
- Volunteers and community service workers will be covered with respect to liability insurance in relation to their duties, but are not covered by other insurance or benefits that are available to Library staff.
- Volunteers and community service workers will not access and/or disclose any information considered confidential under applicable laws.

**Reviewed and Approved 6/12/2023.**

## 3. SERVICES

### 3.1 Borrowing

#### 3.1.1 General

The primary purpose of the Mississippi Valley Library District (hereafter "Library") is to provide borrowing services to the residents within the Library District. In addition, these services are available, with special provisions, to nonresidents wishing to use them.

Account holders may check out as many books and magazines as desired. The checkout of other materials may be restricted based on overall collection size and demand for the materials.

Library accounts are non-transferable. Account holders are responsible for notifying the Library of lost/stolen cards and of changes to name, address, or contact information. Changes to name or address must be verified with current documentation.

Accounts for account holders living in the same household will be linked. If an account holder falls into delinquency as defined below, the account holder will have their access to Library services suspended pending the resolution of the delinquency. Accounts that are linked to the delinquent account may have their access to Library services suspended on a case-by-case basis.

All accounts and their corresponding cards issued by the Library remain the property of the Library and may be repossessed by the Library for violation of Library policies or in other instances as determined by the Library's administration.

Reviewed and Approved, 11/20/2017. Revised 1/11/2021.

#### 3.1.2 Application Requirements

All applicants must provide their name, address, telephone number, a secondary phone number and/or email address, date of birth, and any additional information as required by the SHARE library automation consortium. Proof of residency will be verified by the applicant providing a photo ID and, if needed, additional documentation stating the applicant's current name and address. A photo ID with current name and address satisfies all proof of residency requirements. If a photo ID does not have current information, a second form of verification will be needed.

**Residents Age 18 or Over:** Upon proper application, any resident age 18 or over shall be granted a Library account which entitles them to full use of Library services. Library accounts shall be valid for ninety-nine years from the date of issuance, or until termination of residence in the district, whichever period is shorter. An address check will be issued for the account every three years to ensure that correct contact information is on file.

**Residents Under 18 Years of Age:** Upon proper application, any resident under age 18 shall be granted a Library account which entitles them to full use of Library services. The signature of one parent or guardian is required on youth applications. The parent(s) or guardian(s) will be held accountable for the items checked out on the youth's account. Library accounts shall be valid for ninety-nine years from the date of issuance, or until termination of residence in the district, whichever

period is shorter. An address check will be issued for the account every three years to ensure that correct contact information is on file.

**Motel/Hotel Residents:** The Library will allow anyone who resides in a motel or hotel in the Library's service area to receive a Library account. The account will be valid for one year. The applicant must reside in the motel or hotel for one year in order to be eligible for this service. The motel or hotel resident must provide a valid one-year lease and a photo ID in order to apply for an account. A motel/hotel resident account may be expired by the Library immediately if the resident moves out of the Library's service area or otherwise no longer resides at the motel/hotel and cannot provide proof of residency.

**Nonresident Borrowers:** The Library offers services to nonresidents in compliance with 75 ILCS 16/30-55.60. "Nonresidents" are defined as individuals living in an area unserved by any public library. Upon proper application and payment of the annual nonresident fee, an individual may be issued a Library account which entitles the account holder use of Library facilities and services. Such accounts shall be valid for one year. Only one member of a household needs to pay the annual nonresident fee in order for other household members to receive Library accounts. The nonresident fee is determined annually by the Board of Trustees as outlined by state law and administrative rules. Nonresident fees are not refundable. Any Library policies pertaining to residents shall likewise apply to nonresidents.

**Reciprocal Borrowers:** "Reciprocal borrowing" means the privilege of a person holding a valid library registration card from a local library to borrow library materials from other libraries (75 ILCS 16/1-5). Libraries that participate in the SHARE library automation consortium have made their borrower records available to all SHARE members so that account holders may use their library cards anywhere in the consortium without additional registration needed. Mississippi Valley Library District account holders may request reciprocal borrowing privileges at non-SHARE Illinois libraries according to the libraries' local registration policies. Non-SHARE Illinois library account holders may also receive reciprocal borrowing privileges from the Library upon verification that their library account is in good standing and upon providing application information as outlined above for residents. Reciprocal borrowers may have limited access to certain services as determined by third-party service agreements.

**Property and Business/Organization Owners:** Property owner and business accounts shall be valid for one year. Property owners who present a current real estate tax bill or receipt for property owned within the Library District may receive a property owner account. Business/organization owners may receive a business account upon providing a current photo ID and two documents verifying the business/organization's residency. Only one card will be issued per business/organization.

**Eligibility for Multiple Accounts:** An individual may qualify for multiple public library accounts (examples - an individual lives in Maryville [resident account] and owns property in Collinsville [property owner account]; a child's parents have joint custody and reside in different communities [eligible for two resident accounts]). Library staff will verify on a case-by-case basis if a circumstance meets the current guidance from SHARE and the Illinois State Library for issuing multiple public library accounts prior to issuing said account.

Reviewed and Approved, 11/20/2017. Revised 1/11/2021.

### **3.1.3 Address Check and Account Renewal**

An expired account or an account with an unresolved address check may be renewed or updated at any time. The account holder must be present at the Library with a current photo ID to complete a renewal or address check. If an account is no longer in the Library's database, or if the account holder has a change of name or address, the renewal or address check will be treated as a new registration as outlined above.

*Reviewed and Approved, 11/20/2017. Revised 1/11/2021.*

### **3.1.4 Fines, Fees, Charges**

Patrons with overdue items shall be charged an overdue fine at a rate determined by the Library Board of Trustees. The Library observes a two-day grace period before fines are charged.

The charge for lost or damaged items is the list price of the item, plus billing fee if applicable. Refunds for lost items only may be requested within 30 days and upon presentation of the payment receipt and the item in question, which must be in good condition and able to be added back into circulation. A billing fee is added to an account at the time that the account holder's unreturned items have progressed to the billing stage. Billing fees are nonrefundable.

Lost cards will be replaced upon request for a fee.

Staff members receive the employment benefit of being exempt from all overdue fees. This privilege does not extend to members of their families or households. Trustees are not eligible to be exempt from overdue fees as this is considered compensation and is not permitted under 75 ILCS 16/30-30.

*Reviewed and Approved, 11/20/2017. Revised 1/11/2021.*

### **3.1.5 Delinquency and Inactivity/Record Purging**

A Library account becomes delinquent when outstanding charges total \$5.00 or more. Delinquent accounts will be suspended from Library privileges until the outstanding issues are resolved; accounts linked to delinquent accounts may be suspended on a case-by-case basis.

The Library issues a series of notices to patrons with overdue items in an attempt to have the items returned to the Library. If an item remains overdue three weeks past the due date, it will be billed to the borrower's account along with a billing fee.

The Library utilizes a collection agency for severely delinquent accounts. Accounts sent to collections have a minimum of \$75.00 in accumulated charges. The Library will add a \$10 nonrefundable fee to delinquent accounts that are submitted to a collection agency.

An inactive account is one that has expired or has an unresolved address check and has had no activity on it after the expiration date or date that the address check was added. Accounts without any outstanding issues will be purged from the Library's database after two years of inactivity. Under special circumstances, an account may be deemed inactive and/or purged prior to the two-year timeline.

*Reviewed and Approved, 11/20/2017. Revised 1/11/2021.*

### **3.1.6 Confidentiality of Records**

The Library abides by the Library Records Confidentiality Act, 75 ILCS 70/1, which provides that registration and circulation records are confidential. Registration records include any



information a patron provides in order for that patron to become eligible to borrow Library materials. Circulation records include all information identifying the patron borrowing particular materials. The Library does not make available registration or circulation records to any party except in compliance with the law. The Library does not make available lists of registered library patrons except in compliance with the law. The Library will, however, identify for a parent or guardian materials checked out by a child for whom the parent or guardian is responsible.  
Reviewed and Approved 11/20/2017. Revised 2/10/2020; 1/11/2021.

### **3.1.7 Use of Library Resources by Minors**

The Library respects the rights of parents, guardians, and caregivers to determine what is or is not appropriate for their own child. Parents, guardians, and caregivers are therefore solely responsible for monitoring use of Library resources by their child and applying any restrictions they deem appropriate for their own child's access to these resources. Library staff will not determine appropriateness of resources in loco parentis, nor should parents, guardians, and caregivers attempt to monitor or limit access to resources for other children.  
Reviewed and approved 1/10/2022.

## **3.2 Hours of Operation, Loan Periods, Fines, Fees**

The Mississippi Valley Library District Board of Trustees will establish hours of operation, loan periods, and overdue fines. These will be reviewed by the Board of Trustees as needed.

All other fees are determined by the Executive Director.  
Reviewed and Approved, 9/18/2017

### **3.2.1 Amnesty Program**

The Library may offer amnesty on overdue fines. The dates and nature of the program are determined by the Executive Director.  
Reviewed and Approved, 9/18/2017

## **3.3 Computer and Internet Access**

### **3.3.1 General**

Patrons using the Library's internet and computers are subject to all policies and procedures of the Library. The use of the Library's internet and computers is a privilege, not a right, and the Library reserves the right to limit, refuse, and/or ban individuals from using Library equipment and services. Patrons are not permitted to load personal software on Library equipment.

The Library provides printing services for a per-page fee. Patrons are responsible for previewing printed items and paying for all printouts. Earphones or earbuds are required for listening to audio on the computers; patrons may use their personal equipment for this purpose or purchase earbuds at a service desk. When a computer session ends, each computer restarts and wipes clean any files saved to the computer by its previous user. Flash drives are available for purchase at the service desks to save files before a session closes.

Library staff may provide assistance to patrons using Library computers and/or internet access as time and staff knowledge permit.

Reviewed and Approved, 9/18/2017

### **3.3.2 Eligibility**

Computer and internet access are available for public use on a first-come, first serve basis. The service is available for all ages. Patrons will need a valid Library card, a card from another SHARE library, or a guest pass to utilize this service. Patrons who have a Library or SHARE account that is not in good standing will not be allowed to use computer or internet access until the account is returned to good standing. Guest passes are reserved for patrons who do not have a Library or SHARE account and cannot register for one at the time of need, or as issued on a case-by-case basis by the Assistant Director or the Executive Director.

Reviewed and Approved, 9/18/2017; Revised 11/18/2019

### **3.3.3 Acceptable Use**

The Library requires that patrons using Library computers and/or electronic information networks such as the internet do so within the guidelines of acceptable use. The following activities are unacceptable:

- Destruction of, damage to, or unauthorized alteration of the Library's computer equipment, software, or network security procedures
- Use of electronic information networks in any way which violates a federal or state law, including unauthorized copying or distribution of copyrighted materials
- Use of electronic information networks in any way that violates licensing and payment agreements between the Library and network/database providers
- Unauthorized duplication of copy-protected software or violation of software license agreements
- Violation of system security or other means of gaining unauthorized access to other computers or systems
- Behaving in a manner that is disruptive to others

Reviewed and Approved, 9/18/2017

### **3.3.4 Library Patrons' Rights**

Library patrons have certain rights with respect to use of electronic information networks such as the internet. The Library will work to preserve and protect those rights, subject to limitations imposed by licensing and payment agreements with database providers.

- The Library respects the confidentiality of records, electronic or otherwise, that identify individual users and link them to search strategies, sites accessed, or other specific data about the information they retrieved or sought to retrieve. The Library respects its patrons' privacy; however, it is unable to guarantee privacy in a public forum.
- Library patrons have the right to equitable access to electronic information networks.
- Library patrons have the right to access and read all Library service policies and discuss questions with appropriate Library staff.

Reviewed and Approved, 9/18/2017

### **3.3.5 Time Limits**

Patrons using Library computers are permitted a minimum session of 60 minutes per person per day. Sessions may be shortened if a patron is not in compliance with Library policies or if the session conflicts with the Library's hours of operation. If there are no waiting reservations, additional time may be granted in increments for a total use time of 240 minutes per person per day.

Reviewed and Approved, 9/18/2017

### **3.3.6 Internet Use**

The internet is an unregulated medium connecting people and information sources from around the world. The Library does not and cannot control the information content available through global resources such as information obtained from outside sources via the internet. Internet resources enhance and supplement resources that are available locally within the Library. Library patrons must be aware that this Library does not exercise control over information obtained via the internet and must keep in mind the following points when evaluating information obtained via the internet:

- Information may or may not be reliable or from a reliable source.
- Information may or may not be accurate.
- Information may or may not be current and up to date.
- The Library is a family-friendly establishment. Patrons are to reflect and respect this role of the Library in the content viewed through the Library's internet connection and/or on Library computers. Certain information may be considered controversial/ objectionable by some Library patrons. Some materials on the internet are considered obscene and/or harmful to minors.
- Links to information on the internet may not always be valid, and particular information sites on the internet may sometimes be unavailable and this unavailability often occurs unpredictably.
- The availability of information on the internet does not constitute endorsement of the content by the Library.

In compliance with the federal Children's Internet Protection Act (CIPA), the Library has installed internet filters on children's public use computers. Individuals over the age of 18 may ask staff to remove the filters on their computer. Library staff cannot remove filters for persons under 18 not under constant adult supervision and/or without written consent from the person's parent or guardian. While filters attempt to block objectionable sites, no filtering system is completely effective or efficient. The Library affirms and acknowledges the rights and responsibilities of parents and guardians to monitor and determine their children's access to Library materials and resources, including those available through the internet. Parents are encouraged to discuss with their children issues of appropriate use and electronic information network safety. If a site appears to be inaccurately blocked, please inform staff at the desk. The Library reserves the right to ask for proof of age from any persons requesting that a filter be turned off.

The Library offers wireless internet access for public use. The Library's wireless access points are not filtered. There may be times when patrons may not be able to access a given site on the internet due to circumstances beyond the control of the Library.

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

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

*Reviewed and Approved, 9/18/2017*

### **3.4 Programming**

The Mississippi Valley Library District (hereafter "Library") offers a variety of programs that inform, educate, entertain, and provide cultural enrichment to the residents of the Library

District. Programming is an integral component of Library services for people of all ages. Library programs are open to the public and are offered free of charge. However, at the discretion of the Library's Executive Director, a fee may be permissible for certain types of Library-initiated programs. Registration may be required for planning purposes and when space is limited. In some cases, the nature and success of a program may limit attendance.

Library programs are initiated, planned, or conducted by Library staff taking place in the Library or off-site. The Library's philosophy of open access to information extends to Library programming. When selecting programs, performers, and presenters, the library does not discriminate on the basis of race, color, religion, sex, national origin, age, or any other characteristics protected by local, state, and federal law.

Ultimate responsibility for programming at the Library rests with the Executive Director, who operates within the framework of policies determined by the Library's Board of Trustees. The Executive Director, in turn, delegates the management of programs to Library staff who use their expertise, knowledge of the library's collections, services, and facilities in developing and delivering Library-sponsored programs. Staff welcome program suggestions and proposals, yet retain the right to determine which program and events are scheduled. Presentation of a program topic does not constitute an endorsement by the Library of the group's or individual's policies or beliefs.

Proposed programs are evaluated for approval based on several different types of criteria, including but not limited to the following:

- Relevance to community needs
- Diversity of interests
- Popular appeal
- Presenter qualifications in content area
- Budget constraints
- Availability of Library staff
- Availability of physical and virtual meeting spaces
- Being responsive to current interests
- Serving as a forum for idea sharing, information gathering, and education
- Promoting cultural awareness
- Developing information literacy
- Offering training and assistance with new technologies
- Fostering a love for reading and learning
- Providing early literacy experiences to young children
- Fostering community awareness
- Providing entertainment

Library programs must have a special educational, informational, entertainment, or cultural value to the community. Library programs are not used for commercial, religious, or partisan purposes or the solicitation of business. Although a professional expert may present a program, the information should always be generic in nature. No individual or organization shall use a program at the Library to advertise or recruit members or customers. Performers interested in selling merchandise at a program must get approval by the Executive Director prior to the performance. An example of this would be an author visit with a book signing. Presenters may leave business cards and brochures for attendees to pick up at their discretion.

The Library reserves the right to publicly share, post, circulate, store, or discard recorded program content and associated ephemera within the parameters of contractual agreements,

copyright limitations, and other applicable laws. The Library is under no obligation to permanently store content in any format, except as required in compliance with the Illinois Local Records Act.

The Library may stream and/or archive programs online via various social media platforms. Those who participate in programs that are streamed (in whole or in part) agree to allow all content presented to be broadcast and stored online (within the confines of the above-listed parameters). Presenters must ensure that all content presented (in person and/or virtually) is in compliance with public performance rights and copyright law. Presenters should be aware that sharing content online may be considered a form of publication.

All Library programs are subject to being photographed and potentially recorded. Any participant who wishes to avoid being photographed or recorded by the Library and/or press, with photos and recordings potentially posted online or elsewhere, should alert the Library staff member in charge of the program. The Library will then make an effort to avoid taking or posting those photographs or recordings of that person if possible, and will attempt to communicate the issue with any known members of the press present at the program. However, the Library is a public venue and all Library events, regardless of location, are open to the public. In the age of social media, the Library cannot guarantee that no one will post photos and/or recordings of people present at any public venue or event at any given time.

The Library recognizes that some topics may be controversial and that any given program may offend some patrons. Program selection will not be made on the basis of anticipated approval or disapproval, but solely on the basis of the principles stated in this program selection policy.

Responsibility for the exposure of children to Library programs rests with their parents or legal guardians. Library programming will not be inhibited by the possibility that children will be exposed to the content.

The Library welcomes expressions of opinion from any Library patron concerning programming. If a patron questions a Library program, they should first address the concern with supervisory Library staff. Procedures have been established which ensure the serious review of the request for reevaluation.

Programming practices adhere to the Americans with Disabilities Act (ADA). With at least five (5) days' notice, accommodations will be made for persons with disabilities.

Additionally, the Library's programming practices adhere to the American Library Association's Library Bill of Rights and its interpretation "Library-Initiated Programs and Displays as a Resource."

Individuals attending Library programs are expected to adhere to all Library policies, including the Acceptable Conduct policy, as well as local, state, and federal laws.

**Reviewed and Approved 3/20/2023.**

### **3.5 Interlibrary Loan**

Interlibrary loan (commonly referred to as "ILL") is the process by which a library requests materials from, or supplies materials to, another library. Through interlibrary loan, patrons may

request materials from other libraries. Requested materials are sent to the Mississippi Valley Library District (hereafter “Library”), where the patron may check out the items or use them in the Library (if so stipulated by the owning library).

The Library is an active member of the SHARE library automation consortium. The Library draws upon the collections and resources of other SHARE members as the primary way of supplementing the Library’s own collection. Items requested through SHARE are provided to patrons free of charge.

If SHARE is unable to provide access to a requested item, patrons may request that the Library pursue interlibrary loan through OCLC’s Worldcat, an international library lending network. The Worldcat lending service is only available to Library cardholders; cardholders from other libraries must contact their home library for this type of request. Patrons requesting materials through Worldcat may be required to pay a postage fee for out-of-state materials.

The Library affirms that interlibrary loan is an adjunct to, not a substitute for, the Library’s collections. The Library exhausts all local resources first, including its own collections and those from libraries in SHARE, before requesting items from libraries through other sources.

The Library endorses the Illinet Interlibrary Loan Code and the American Library Association’s Interlibrary Loan Code for the United States. The Library complies with United States Copyright Law (17 U.S.C.) and its accompanying guidelines. The Library complies with the borrowing and lending policies of the Illinois Heartland Library System, the SHARE library automation consortium, and OCLC.

**Reviewed and Approved, 9/18/2017. Revised 4/15/2024.**

### **3.6 Services to Patrons with Disabilities**

The Mississippi Valley Library District (hereafter “Library”) offers the same services to patrons with disabilities as to all other segments of the population. In addition to those services, the Library acts as a facilitator between the patron and the National Library Service for the Blind and Physically Handicapped, offers homebound delivery service, and welcomes service animals.

**Reviewed and Approved, 9/18/2017**

#### **3.6.1 Homebound Service**

##### **Purpose and Definition**

The Mississippi Valley Library District (hereafter “Library”) provides free homebound service as a courtesy for eligible individuals. The service provides coordinated delivery and pick-up of Library materials at the patron’s residence on a regular basis. “Homebound” is defined as being confined to one’s residence either temporarily due to illness or accident, or permanently due to disability, age, or other mobility issues. The service is open to all ages.

##### **Eligibility**

Eligible individuals:

- Reside in the Library’s service area
- Have a Library card in good standing
- Meet the definition of “Homebound” as described above

- Do not have anyone else in the household who is capable of retrieving and/or returning Library materials at Library facilities on the individual's behalf

### **Enrollment, Participation, and Suspension/Discontinuation**

Interested individuals must complete the Library's Homebound Application. Library staff will contact the individual to verify the application's information and determine if and/or when services will commence. Library staff will regularly contact homebound participants to assist with selecting new materials, extending loan periods if needed, and confirming availability for the next scheduled delivery/pick-up. It is the homebound participant's responsibility to notify the Library if their contact information or residence has changed either temporarily or permanently.

Individuals receiving homebound service must protect all Library items in their custody and must provide a safe and appropriate environment for Library staff who make deliveries. Library materials will only be delivered directly to the homebound individual or to a staff member of a care facility at which the homebound individual currently resides. Library staff will not leave materials unattended or unclaimed during delivery/pick-up. If no one is available to meet Library staff during delivery/pick-up, the individual's items will be returned to the Library.

Homebound service participants are subject to all Library policies, including those set forth for borrowing materials. The Library retains the right to suspend or discontinue participation in homebound service as determined by factors including but not limited to: poor condition of materials upon their return; inappropriate behavior; unsafe or unsanitary property conditions; changes in the individual's health or circumstances that impact their eligibility; and inability to contact the participant for an extended period.

Individuals whose homebound service has been suspended or discontinued will be notified in writing by the Library. The reason for the suspension or discontinuation will be provided. Depending on the nature of the suspension or discontinuation, the individual will be provided a period of time during which to take corrective action. At the end of that period, Library staff will evaluate whether the individual is eligible to receive homebound service again.

Adopted: 07/17/2017

### **3.6.2 Service Animals**

Service animals are welcome in the Library in accordance with the Americans with Disabilities Act (ADA). Additionally, comfort animals are welcome. All service and comfort animals must comply with the following requirements:

- The animal must not be disruptive or cause damage to library property
- The animal must be housebroken
- The owner must be able to maintain control over the animal

Reviewed and Approved, 9/18/2017

### **3.7 Additional Services**

The Mississippi Valley Library District (hereafter "Library") offers a variety of services in addition to those outlined above. Some services may require a fee; others are provided free of charge. These services include, but may not be limited to:

- Faxing
- Laminating
- Notary Service (see below)
- Photocopying

- Proctoring (see below)
- Programs and Events

Adopted 9/18/2017

### **3.7.1 Notary Service**

The Library offers notary service for a fee. Patrons requesting service must provide current, valid photo identification. Notary service will not be provided if, in the sole discretion of the Library, there are issues of identification or authenticity of documents.

Adopted 9/18/2017

### **3.7.2 Proctoring**

The Library will proctor online and written exams for individuals providing a current, valid form of identification. Proctoring service will not be provided if, in the sole discretion of the Library, there are issues of identification or authenticity of documents. Online exams will be taken using Library computers. The Library cannot guarantee that technical problems will not occur while using the Library's internet and/or computers. The Executive Director, Assistant Director, and/or Computer Lab Supervisor will oversee the scheduling of exams and proctors. Any full-time Library staff may act as a proctor. Both the Library and the patron have the right to cancel an exam or to reschedule for a mutually agreed-upon time. The Library has the right to deny service to individuals based on factors including, but not limited to, failure to appear for previously scheduled exams, failure to pay for prior exams' postage, and patron Library accounts that are in collections.

Patrons are responsible for monitoring deadlines set by their institution and scheduling exams. Exams must be scheduled at least 48 hours in advance. Patrons must provide proper photo identification upon arrival at the Library. If the Library incurs fees in order to return the exam, the patron is responsible for reimbursing the Library.

Adopted 9/18/2017



## **4. FACILITIES**

### **4.1 Exhibits and Displays**

The exhibit and display spaces of the Library are first and foremost a Library resource to be utilized in the fulfillment of the Library's mission. When not being utilized for Library purposes, exhibit and display spaces may be used to highlight collections owned by community members or organizations. Exhibits or displays that interfere with Library operations will not be permitted. Exhibits or displays will not promote commercial endeavors unless the endeavor is specifically related to the Library's goals.

All permanent or semi-permanent exhibits and displays will be approved by the Board of Trustees. Temporary displays (up to two months' duration) may be placed on exhibit at the discretion of the Executive Director or Assistant Director.

All materials displayed in the Library will be given reasonable care and protection within the limits of the general operation of the Library, but the Library and Board of Trustees do not assume responsibility for damage or loss suffered on its premises, nor for the cost of insurance coverage. Such costs, losses, damages, etc. are understood to be the responsibility of the organization or individual providing the exhibit or display. A signed statement of insurance coverage or, if it is uninsured, a statement releasing the Library from responsibility should be provided when the display is established.

**Reviewed and Approved, 3/19/2018**

### **4.2 Community Bulletin Boards and Brochure Racks**

Community bulletin boards and brochure racks are located in both Library Centers. Because space may become limited, the following guidance will be enforced:

- Dated materials will be removed within the week following the listed date. Materials without a date will be removed after three months, with Library staff placing the date of posting on the material for reference.
- Petitions and electioneering materials will not be allowed.

**Reviewed and Approved, 3/19/2018**

### **4.3 Meeting Spaces**

The meeting spaces of the Library are a resource to be utilized in the fulfillment of the Library's mission and for the community's educational and entertainment needs. Permission to use the facility is revocable and does not constitute a lease. The Library reserves the right to deny applications for use based on availability of space, availability of Library staff, frequency of use, or as further outlined in this policy.

**Reviewed and Approved, 3/19/2018**

#### **4.3.1 Availability**

- Library programming has priority, and the Library reserves the right to cancel or relocate any previously scheduled meeting.
- Available rental spaces are the Community Room, Programming Resource Center, and Blum House in Collinsville and the Pavilion, Community Room, and Meeting Rooms in Fairmont City. Occasionally other spaces may be rented or reserved on a case-by-case basis as approved by the Assistant Director or Executive Director.

- Maximum capacity for each space is as follows:
  - Collinsville Programming Resource Center - 73 occupants with tables and chairs; 155 occupants with chair seating
  - Collinsville Community Room - 115 occupants with tables and chairs; 245 occupants with chair seating
  - Collinsville Blum House - 42 occupants for tables and chairs; 104 occupants for chair seating (occupancies are combined totals for the main floor - individual rooms' occupancies are posted in the kitchen)
  - Fairmont City Community Room - TBD
  - Fairmont City Meeting Rooms - TBD
  - Fairmont City Pavilion – 150 occupants
  - Although maximum capacities as determined by local fire authorities will be observed, recommended capacities will be determined by the Library based on criteria including but not limited to room setup and the comfort of the attendees.
- Booking of a meeting space will be on a first come, first served basis.
- Permission to use a Library meeting space does not imply Library endorsement of the aims, policies, or activities of any individual, group, or organization. Advertisements or announcements implying such endorsement are not permitted.
- Rentals that open attendance to the public must include the following wording on all advertisements, promotional materials, social media posts, and other similar promotions: “While open to the public, this event is a private rental. The Mississippi Valley Library District does not endorse the aims, policies, or activities of any individual, group, or organization renting space in the Library.”
- The Library will not be the phone contact for the event or activity. The library’s name, address, telephone number, or URL may not be used as the address or headquarters for any group using the library.
- Solicitation, admission or other charges, money raising activities, and/or sales are not allowed. This guideline is waived for all Library related programs or Library fundraising activities.
- Standing reservations for groups may be made for up to a one year period. It is the responsibility of the group to re-apply at the end of this time.
- Meeting space requests need to be submitted to and approved by the Assistant Director, Circulation Supervisor, or Blum House Manager at least one week prior to the activity.
- Meeting space may be provided for groups of children that are supervised by adults at the ratio of one adult for every seven children. Groups with members under the age of 18 must have an adult sponsor in attendance at all times during their meetings.
- Rentals for private gatherings will be charged a fee as set by the Executive Director.
- Public information meetings are to be open to the public and free of charge for attendees. No fee shall be charged or donation solicited as a condition of entry.

Reviewed and Approved, 3/19/2018. Revised 7/17/2023.

#### **4.3.2 Scheduling and Payment**

Reservations are to be made in writing on the appropriate rental application and returned to the Assistant Director, Circulation Supervisor, or Blum House Manager. Reservations will be confirmed upon receipt of the completed rental application and payment in full of any applicable fees. All effort will be made by the applicant to complete registration and pay fees in full no later than one week prior to the event; otherwise the Library reserves the right to deny the request. If an event is canceled by the requestor, the Library is to be notified no later than 48 hours prior to the scheduled event for a full refund. The Library will retain half the rental fee for notice given less than 48 hours in advance. The Library will refund the fees in full if the Library initiates the cancellation and a suitable alternative date or time cannot be arranged.

#### **4.3.3 General Rules for Use of Meeting Spaces**

- Meeting spaces must be left in neat, clean, orderly condition with all chairs, tables and equipment returned to their original position.
- Arrangements need to be made to use Library equipment. Library staff will assist with setup of the equipment as available.
- The Library does not provide service to carry supplies, provide refreshments, or provide office supplies or photocopies. All groups must provide their own support for preparation and cleanup. Groups may not store supplies on Library property without the permission of the Assistant Director or Executive Director.
- It is not permissible to affix or adhere anything to the walls, doors, windows, or other surfaces in a manner that inhibits the safety and security of Library facilities.
- The use of firearms or hazardous materials is not permitted at any time.
- Use of tobacco or vaping products inside Library facilities or within 15 feet of any entrance is not permitted at any time.
- Use or possession of alcohol is not allowed unless otherwise specified below.
- Use or possession of illegal substances is not allowed.
- No event shall last later than the Library's closing time unless by special permission.
- No group may reassign a reserved time to another group.
- It is the responsibility of the applicant to give public notice that signing (sign language) will be made available upon reasonable request if the meeting is open to the public. It is the responsibility of the applicant to provide a qualified interpreter. It is the responsibility of the applicant to advise Library staff of any other special needs arrangements.
- Meetings, programs, or events may not disrupt Library operations, patrons, or staff. The Library reserves the right to terminate meetings, programs, and events that disrupt or interfere with normal Library operations.
- Group members bringing children to the Library are responsible for the supervision of their children attending the meeting and using the Library during the meeting.
- Groups that hold children's programs are responsible for the care of the participating children and their siblings before, during, and after the programs. Group supervisors must stay until all children have been picked up by their parents.
- Group members using the Library's equipment must leave all equipment in the condition in which it was found, including but not limited to stacking and rearranging chairs and cleaning and storing tables. The applicant is responsible for ensuring that all participants use the equipment in accordance with the Library District's policies.
- Food and nonalcoholic beverages may be served. Groups must furnish their own utensils, plates, cups, napkins, and other serving items. Groups will ensure all spills and debris are cleaned up before leaving the Library.
- Future requests will be denied if the above requirements are not met. A fee separate from the rental fee may be assessed for cleaning or the actual cost of repairs if it is deemed necessary by the Assistant Director, Circulation Supervisor, Blum House Manager, and/or Executive Director.
- Library staff are authorized to monitor the use of the meeting space and to enforce all policies concerning their use. All meetings shall be open to the Executive Director and Library staff. This does not obligate the group or organization to notify the public of the meeting or to specify in any publicity that it is open to the public.
- Individuals or organizations must provide to the Library a copy of a Certificate of Insurance for Special Events Liability with the Library listed as an Additional Insured.

#### **4.3.3.1 Rules for Specific Meeting Spaces**

These rules, which pertain to specific meeting spaces, are in addition to the general rules outlined above.

- Collinsville Community Room:
  - The kitchen is intended to assist with serving previously prepared food and drink. It is not a commercial kitchen and is not to be used for cooking. Groups using the kitchen are expected to leave the space clean of food, beverage, dirty dishes, and trash; failure to do so may result in an additional cleaning charge.
  
- Collinsville Blum House:
  - Alcoholic beverages are permitted at private rentals upon furnishment to the Library of a Homeowner's Insurance certificate for events with host liquor liability insurance with a limit of \$500,000 or a special proof of insurance providing similar coverage for the rental event. Proof of coverage must be furnished at least one (1) week prior to the event.
  - Because of the age and condition of the Blum House, no decorations may be hung or affixed to the walls or ceilings.
  - Individuals utilizing the Blum House will be respectful of the Library's neighbors in their volume and actions.
  - Individuals utilizing the Blum House are welcome to use the kitchen's appliances, dishes, and utensils. Renters are responsible for proper use, cleaning, and storage of these resources.
  
- Fairmont City Pavilion:
  - Alcoholic beverages are permitted at private rentals upon furnishment to the Library of a Homeowner's Insurance certificate for events with host liquor liability insurance with a limit of \$500,000 or a special proof of insurance providing similar coverage for the rental event. Proof of coverage must be furnished at least one (1) week prior to the event.
  - Individuals utilizing the Pavilion will be respectful of the Library's neighbors in their volume and actions.

**Reviewed and Approved, 3/19/2018**

#### **4.3.4 Liability**

Granting of permission to use Library facilities does not in any way constitute an endorsement of the group's policies or beliefs by the Library staff or Board of Trustees. The Library is not responsible for any loss, theft, or damage to any owned or rented equipment or to the personal belongings of any meeting attendee. The individual signing the room rental application and/or the organization they represent will assume legal responsibility for the cost of repair or replacement of damaged Library property. The accountable person and/or organization will also assume responsibility for the cost of any special cleaning necessary after the use of the room.

Individuals, groups, or organizations utilizing the Library's meeting spaces fully release and discharge the Library Board of Trustees and its officers, agents, and employees from any and all claims from injuries which may arise or which may be alleged to have arisen out of or in connection with the meeting. Individuals, groups, or organizations utilizing the Library's meeting spaces further indemnify and hold harmless the Library Board of Trustees and its officers, agents, and employees from any and all claims from injuries, including but not limited to the general public, which may arise or which may be alleged to have arisen out of or in connection with the meeting.

**Reviewed and Approved, 3/19/2018**

#### **4.3.5 Study Areas**

Study areas are available for use on a first come, first served basis. Available space ranges from single-person study rooms to spaces for six individuals, depending on each Library Center's physical arrangements.

**Reviewed and Approved, 3/19/2018**

#### **4.3.6 Carma Wilbert Reading Room**

The reading room in Collinsville is a designated quiet zone intended for individual activity such as reading or studying. It is normally available on a first come, first served basis, although occasionally it may be reserved in advance through the Circulation Supervisor for special circumstances.

**Reviewed and Approved, 3/19/2018**

#### **4.4 Policy Review**

This policy will be reviewed by the Library's Board of Trustees at least once every two years pursuant to 75 ILCS 16/30-60, Resolution Concerning Library Materials and Facilities:

The board of each district shall adopt, and review at least every 2 years, a resolution for the selection of library materials and the use of library materials and facilities. No employee may be disciplined or dismissed for the selection of library materials when the selection is made in good faith and in accordance with the resolution required to be adopted under this Section.

**Reviewed and Approved 3/20/2023.**

## **5. COLLECTION DEVELOPMENT**

A public library attempts to provide an accessible setting for a variety of materials. Since no individual can buy and store all of the material one may need or want, the community pools its resources to create a public collection for the community's benefit.

A primary goal of the Mississippi Valley Library District (hereafter "Library") is to develop a collection of excellence. The library strives, within the limitations of budget and space, to provide a wide range of materials which meet the diverse education, informational, cultural, and recreational needs of the community.

Reasonable efforts will be made to build balanced collections without favor given to particular causes or viewpoints.

The selection of any material or electronic resource for the collection of the Library does not constitute an endorsement of its contents. The Library recognizes that many materials and electronic resources are controversial and that any given item may offend some patrons. Decisions are not made on the basis of any anticipated approval or disapproval, but solely on the merits of the work in relation to the building of the collection and to serving the interests of patrons. The Mississippi Valley Library District Board of Trustees endorses the American Library Association's (ALA) Library Bill of Rights, with interpretations, the ALA's Freedom to Read statement, and the ALA's Freedom to View statement, which recognize the right of persons to free and convenient access to information and ideas, and incorporates them as part of this policy.

*Reviewed and Approved, 9/18/2017. Revised 1/10/2022; 2/13/2023.*

### **5.1 Selection and Maintenance of Materials**

The Executive Director is responsible for all materials in the Library's collections. Designated staff use professional judgment to choose and discard items in the collections within the scope of assigned areas.

A variety of factors influence the selection of materials, both print and electronic. These include accuracy of information, interest, authority, demand, value to the existing collection, timeliness, significance of the subject, format, and price. In selection, consideration will be given to the work as a whole. No work shall be excluded because of specific passages or pieces taken out of context. It is not possible to read, view, listen, and analyze every item before it is added to the collections. Selection of materials is accomplished in a variety of ways. Extensive use is made of reviews in professional and other journals. Recommendations by staff and/or residents of the community are seriously considered.

*Reviewed and Approved 2/13/2023.*

### **5.2 Library Collection Gifts and Donations**

The Library will accept donated materials with the understanding that donated materials will be added to the collection only if they meet the same standard required of purchased materials. Gift materials not meeting those standards will be handled and/or disposed of in the best interest of the Library. The classification and display of donated materials is solely at the discretion of Library staff. Donors may not restrict access to or use of donated materials.

Materials purchased with gift funds, including memorial donations, and materials presented as memorials must meet the same criteria as Library-purchased materials. The responsibility for

selection of memorial materials rests with Library staff following consultation with the donor on appropriate subjects. A memorial bookplate may be placed in each item. Acknowledgment is made to the donor; immediate family will be notified of the gift at the donor's request only. Materials not added to the collection or withdrawn will not be returned to the donor.

Receipts for donated materials are available upon request, but the Library will not appraise the value of the donation, suggest a value, provide an appraisal service, or recommend professional appraisers.

Reviewed and Approved, 9/18/2017. Revised 2/13/2023.

### **5.3 Materials Withdrawal Policy**

As materials are regularly added to the Library's collections, ongoing maintenance is necessary to ensure the collections are maintained in good condition with relevant and up-to-date information. Part of maintaining the collections is performing regular deselection. Deselection is a vital process for an active collection because it ensures the collection stays current, relevant, and in good condition. Library staff perform deselection on a continual, ongoing basis. The withdrawal of books is based on, but not limited to, the following guidelines:

- To remove physically worn out or damaged volumes.
- To eliminate books containing obsolete, inaccurate, misleading, mis-, and/or dis-information.
- To remove duplicate copies of titles which have waned in popularity.
- To remove materials which have not been checked out for several years and/or that have a low lifetime circulation history.

The Executive Director will make the final decision regarding the disposition of books withdrawn from the collection. Whenever gift or memorial materials are no longer needed, they will be disposed of in the same manner and using the same considerations as other materials.

Reviewed and Approved, 9/18/2017. Revised 1/10/2022, 2/13/2023.

### **5.4 Request for Reconsideration**

The Library endeavors to build a collection representing varying points of view. The choice of library materials by patrons is an individual matter. Responsibility for the materials used by children rests with their parents, guardians, and/or caregivers. While a person may reject materials for themselves and for their children, they cannot exercise censorship to restrict the use of materials by others.

A request to remove Library materials creates complex legal and ethical questions for both the Library and the community. Consequently, this issue is taken very seriously by the Library.

When a patron objects to the presence or absence of any Library material, they have the right to bring the objection forward to Library staff. If, after discussing the objection with Library staff, the patron wishes to progress their complaint, the patron may complete the "Request for Reconsideration of Library Materials" form. The party making the complaint must be a resident of the Mississippi Valley Library District. No form will be processed without it being filled out completely and signed by the complainant.

Upon receipt of a completed Request for Reconsideration of Library Materials form, a committee consisting of the Executive Director, a Library staff member, and a Library trustee will be formed to review the material within the context of the patron's concern, the context of the Library's collection as a whole, in consideration of community use and interest, and other factors as outlined in the "Selection and Maintenance of Materials" section of this policy. The committee will make a determination concerning the complaint within sixty (60) days and will report the committee's decision to the Board of Trustees. If a patron is unsatisfied with the committee's response, the patron may appeal in writing to the Board of Trustees within thirty (30) days.

Appeals will be reviewed by the Board of Trustees within sixty (60) days and a decision made at a regularly scheduled meeting. The Board will make the final decision as to the retention, elimination, or relocation of the material. A response in writing will be sent to the complainant within five (5) days after the meeting stating the Board's decision regarding the Request for Reconsideration of Library Materials.

Reasonable adjustments to the timeline due to the number of pending requests are permitted. Materials undergoing the reconsideration process will remain available for public use and continue to circulate, pending the final decision of the reconsideration request.  
Reviewed and Approved, 9/18/2017. Revised 1/10/2022, 2/13/2023.

### **5.5 Interlibrary Loan and E-Resources**

Interlibrary loan (ILL) is the process by which a library requests materials from, or supplies materials to, another library. See Policy 3.4 Services: Interlibrary Loan.

The Library affirms that ILL is an adjunct to, not a substitute for, the Library's own collection. As the Library does not have the authority to oversee collection development at other libraries, requests for reconsideration that involve materials that are only available through ILL (as opposed to owned by the Library) will be denied.

The Library participates in e-resources consortia, such as but not limited to the CloudLibrary service. Library staff, as well as the staff of other member libraries, contribute to the development of these collections for the benefit of all member libraries and their communities. As such, no single library has authority to make decisions regarding reconsideration requests impacting these e-resources consortia. These consortia have their own policies regarding requests for reconsideration. Requests for reconsideration received by the Library involving consortial collections will be denied by the Library. Information about submitting a request for reconsideration to the appropriate entity will be provided upon request.  
Reviewed and Approved 2/13/2023.

### **5.6 Policy Review**

This policy will be reviewed by the Library's Board of Trustees at least once every two years pursuant to 75 ILCS 16/30-60, Resolution Concerning Library Materials and Facilities:

The board of each district shall adopt, and review at least every 2 years, a resolution for the selection of library materials and the use of library materials and facilities. No employee may be disciplined or dismissed for the selection of library materials when the selection is made in good faith and in accordance with the resolution required to be adopted under this Section.

Reviewed and Approved 2/13/2023.



**Mississippi Valley Library District**

**REQUEST FOR RECONSIDERATION OF LIBRARY MATERIALS**

rev. 2/13/2023

If you wish to request reconsideration of library materials or resources, please complete and return this form to the Executive Director, Mississippi Valley Library District, 408 West Main Street, Collinsville, IL 62234. A staff member will contact you.

Confirm: are you a resident of the Mississippi Valley Library District?  Yes  No  
Respond: do you have a Mississippi Valley Library District account in good standing?  
 Yes  No

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Email: \_\_\_\_\_

Is this request made on behalf of:  
Yourself? \_\_\_\_\_  
An organization? \_\_\_\_\_ Name of Organization: \_\_\_\_\_

1. Resource on which you are commenting:

TITLE: \_\_\_\_\_  
AUTHOR/PRODUCER: \_\_\_\_\_  
Book \_\_\_\_\_ Video \_\_\_\_\_ Magazine \_\_\_\_\_ Library Program \_\_\_\_\_  
Newspaper \_\_\_\_\_ Display \_\_\_\_\_ Other (explain) \_\_\_\_\_

2. What brought this resource to your attention?

3. Have you read, listened to, viewed, or examined the whole resource?  Yes  No  
a. If not, why not?

4. What concerns you about the resource? Please be specific, including page numbers, time stamps, disc numbers. etc.

5. What value is there in the work?

6. Are you aware of reviews of the work by professional critics?
7. What do you believe is the purpose or theme of this work?
8. What do you feel might be the result of reading, listening to, or viewing the work?
9. Are there other resources you could suggest that might provide additional information and/or other viewpoints on this topic?
10. Please read the attached Library Bill of Rights, Freedom to Read Statement, and Freedom to View Statement. The Library supports the principles set forth in these documents. Do you feel your request is in conflict with these documents and why?
11. What would you like the Library to do about this work?

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

Constitutional principles that libraries work under regarding banning books, etc.:

1. Children have 1st Amendment rights: *Tinker v. Des Moines Independent Community School District*, 393 U.S. 503 (1969)
2. 1st Amendment rights include access to information: *Board of Education v. Pico*, 457 U.S. 853 (1982)
3. Suitability for minors must be judged according to appropriateness for the oldest minors (17 year olds) not younger ages: *American Booksellers Assn. v. Virginia*, 882 F.2d 125, 127 (4th Cir. 1989), cert. denied, 494 U.S. 1056 (1990) and *American Booksellers v. Webb*, 919 F.2d 1493, 1504-05 (11th Cir.), cert. denied, 494 U.S. 1056 (1990).
4. The value of the work must be considered as a whole, not just focus on the most worrying parts: *Miller v. California*, 413 U.S. 15 (1973)
5. Courts have laid out standards for censoring in any public forum, including a public library (“a limited or designated public forum”). See, e.g. *Sund v. City of Wichita Falls, Tex.*, 121 F. Supp. 2d 530, 547 (N.D. Tex. 2000).
  - a. Removal based on viewpoint is strictly prohibited.
  - b. If removal is based on content, governmental entity must establish that the removal of material meets strict scrutiny.
- i. Strict scrutiny test: (1) compelling interest; (2) narrowly tailored to achieve compelling interest; and (3) no less restrictive alternative.

*Board of Education v. Pico*, 457 U.S. 853 (1982): “[i]f petitioners intended by their removal decision to deny respondents access to ideas with which petitioners disagreed, and if this intent was the decisive factor in petitioner’s decision, then petitioners have exercised their discretion in violation of the Constitution.” *Id.* At 871

Obscenity is defined in the “Miller test”: *Miller v. California*, 413 U.S. 15 (1973) Test: (1) that the average person, applying “contemporary community standards” would find the work, as a whole, appeals to the “prurient interest,” (2) that the work depicts or describes, in a patently offensive way, sexual conduct specifically defined by the applicable state law, and (3) that the work, taken as a whole, lacks serious literary, artistic, political or scientific value. *Miller v. California*, 413 U.S. 15 (1973)(emphasis added).

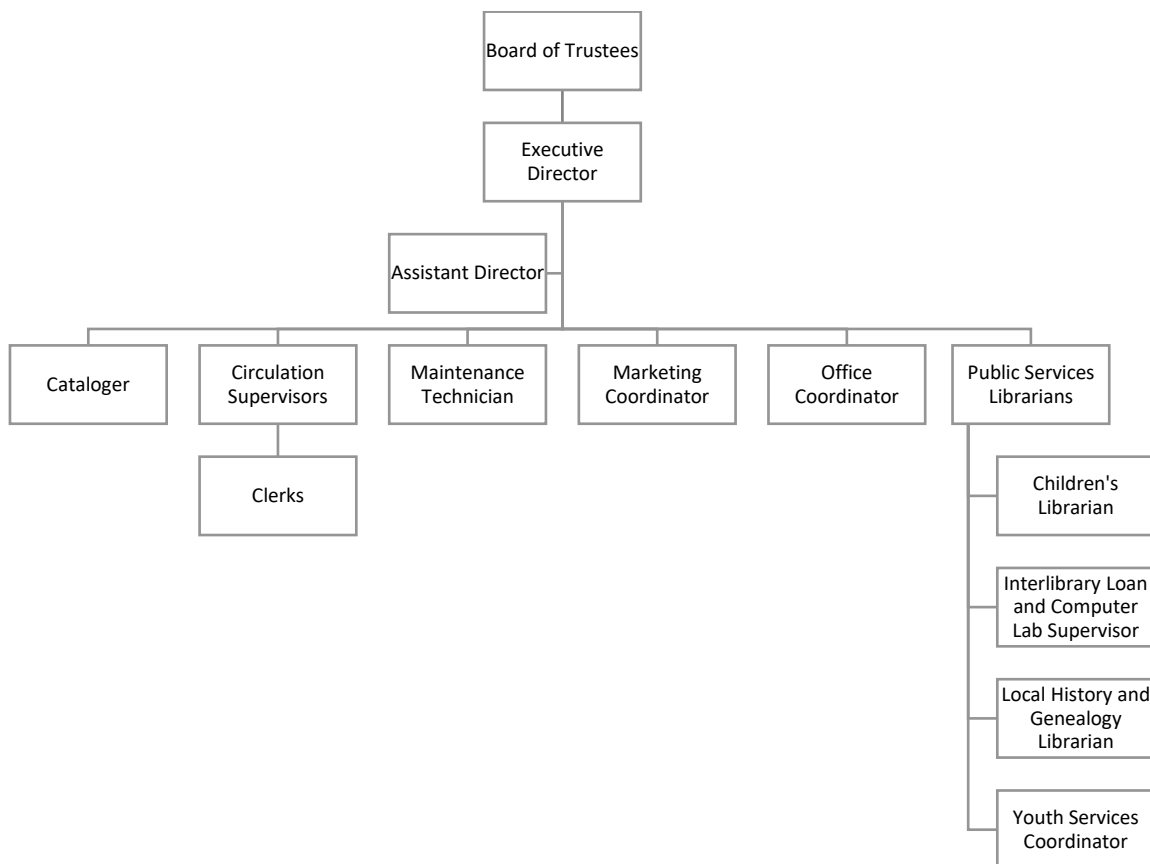
Harmful to Minors is defined: *Ginsberg v. New York*, 390 U.S. 629 (1968), and also see citations in point 3) above. The test parallels the Miller test, but the considerations are in the context of offensiveness and serious value for minors. *Ginsberg v. New York*, 390 U.S. 629 (1968). Determination must be made in the context of whether the material would be harmful to the oldest of minors. Material cannot be deemed harmful to minors if it would be constitutionally protected for a seventeen-year-old even if one might conclude that it was “harmful” for a five-year old.

## 6. PERSONNEL

The Mississippi Valley Library District (hereafter “Library”) will promote the welfare of the individual staff members while meeting the staffing needs of the Library. These policies serve as a guideline for personnel matters but cannot cover every matter or problem concerning employment by the library. Issues that are not covered by this policy will be addressed in the Personnel Manual. This personnel policy will be applied consistently without bias. This policy is not to be considered as a contract of employment. All employees serve at the will of the Board of Trustees.

Reviewed and Approved, 1/22/2018

### 6.1 Organizational Structure



Reviewed and Approved, 1/22/2018. Revised 11/15/2020.

### 6.2 Application, Selection, and Employment

#### 6.2.1 Application and Interview

The Library provides equal employment and advancement opportunities for all employees and applicants for employment. All personnel actions and employee programs are administered on a

nondiscriminatory basis. The Library employs individuals aged 16 and over. The Library recruits both internally and externally for vacant positions. Appropriate media are used to advertise for available positions. Application may be made by resume. Applicants may be asked to supply additional support documentation based on the requirements of the position. Reviewed and Approved, 1/22/2018. Revised 4/15/2024.

### **6.2.2 Selection and Appointment**

Applicants for the position of Executive Director will be interviewed by the Board-appointed Personnel Committee. Appointment to the Executive Director position will be made by the Board of Trustees.

All other applicants for employment will be interviewed by the Executive Director and/or Assistant Director, with final selection by the Executive Director. Anyone accepting a position with the Library will have open access to the Policy Manual and will be responsible for following these policies and procedures.

Applicants selected for employment are required to complete the Library's employment application form no later than their first day of employment. The purpose of this form is to certify that information provided during the application process is correct and to make applicants aware that providing false information will disqualify the applicant from further consideration or result in immediate termination of employment.

Applicants selected for employment are required to complete background checks. An applicant will not automatically be removed from consideration or employment for having one or more "hits" returned on the background check. In accordance with applicable state and federal laws, it is the practice of the Library not to base employment decisions on the criminal history of an applicant for employment unless: (1) federal or state law prohibits hiring an individual with certain criminal convictions for the position that the applicant is seeking; (2) the applicant has been convicted of an infraction that is reasonably related to the position sought, and denial of employment based on that criminal history is consistent with business necessity and the Library's duty to serve and protect its residents; or (3) there is an unreasonable risk to property, safety, or welfare. The Library shall notify the applicant and follow applicable law(s) should they be disqualified for a specific position due to their past criminal convictions.

An employee who was previously employed at the Library may be considered for rehire if they followed proper procedure according to the Policy 6.6.1 RESIGNATION at the time that they left the Library's employment and if they were not terminated for cause from their prior position. Reviewed and Approved, 1/22/2018. Revised 4/15/2024.

### **6.2.3 Introductory Period**

The first three months of employment will be considered an introductory period during which time the individual is trained and evaluated for effective job performance. This period allows the Library to determine the employee's suitability for the position and for continued employment by the Library. It also allows employees an opportunity to decide if they are satisfied with the position and the Library as an employer. New employees will complete a training checklist within the introductory period. Completion of this checklist will be a strong indicator, but not the sole deciding factor, as to whether a new employee will be a good fit for the position they were hired to fill.

Reviewed and Approved, 1/22/2018. Revised 4/15/2024.

### **6.2.4 At Will Employment**

It is the policy of the Library that all employment is on an 'at will' basis which allows the employment to be terminated at any time by either the employee or the Library 'at will' with or without cause. Nothing in this policy shall be held to convey to any employee a promise or offer of any type of right to continued employment. This is not an employment contract.

Reviewed and Approved, 1/22/2018

## **6.3 Conditions of Employment and Pay Practices**

### **6.3.1 Hours of Work and Employee Categories**

#### **6.3.1.1 Hours of Work**

Hours of work are determined by the employee category in which each position is categorized. Employees must report to work promptly as scheduled. Staff unable to report to work because of illness or emergency should notify the scheduled supervisor no later than one hour prior to scheduled work time. Repeated violations of a work schedule will subject an employee to disciplinary action.

Reviewed and Approved, 1/22/2018; Revised 4/15/2019; 4/19/2021

#### **6.3.1.2 Employee Categories**

The Library categorizes employees as follows and recognizes that more than one category may apply to each employee (example: non-exempt and full-time):

##### **REGULAR FULL-TIME EMPLOYEES**

A normal week will consist of 40 hours for full-time employees. A full-time work day is eight hours and includes a paid one-hour lunch break. Full-time employees are considered eligible for all employee benefits.

##### **REGULAR LEVEL 1 PART-TIME EMPLOYEES**

Level 1 part-time employees work between 18 and 39 hours per week. Meal breaks are not paid. These employees are eligible for some employee benefits.

##### **REGULAR LEVEL 2 PART-TIME EMPLOYEES**

Level 2 part-time employees will not exceed 1,000 hours of work per year (average of 18 hours per week). Meal breaks are not paid. These employees are eligible for some employee benefits.

##### **TEMPORARY EMPLOYEES**

A temporary employee is an employee who is hired for a temporary period, generally less than six (6) months. Temporary employees should have no expectation of continued or regular employment and cannot become a regular employee unless such an offer of regular employment has been made to the employee. Unless otherwise specified or as required by law, temporary employees are not eligible for employee benefits.

##### **NON-EXEMPT AND EXEMPT EMPLOYEES**

The Illinois Minimum Wage Law and the federal Fair Labor Standards Act classifies employees as either non-exempt or exempt for the purpose of minimum wage and overtime requirements. Under state and federal law, non-exempt employees are entitled to minimum wage and, if they work more than 40 hours in a workweek, overtime or compensatory time. An employee's weekly earnings and job duties determine whether they are exempt or non-exempt.

Reviewed and Approved, 1/22/2018; Revised 4/15/2019; 4/19/2021

### **6.3.2 Salaries and Wages**

Salaries and wages will be reviewed annually by the Budget Committee during the budget process. Paychecks are distributed biweekly on Friday and reflect the prior two full weeks ending on Saturday.

Reviewed and Approved, 1/22/2018; Revised 4/15/2019

### **6.3.3 Personal Appearance**

The appearance of an employee reflects directly on the Library and its services. All employees are expected to be clean and well groomed. Dress should be appropriate for the type of work performed and at the discretion of the Executive Director.

Reviewed and Approved, 1/22/2018

## **6.4 Evaluations**

Evaluations will be performed by the Executive Director annually on the staff person's anniversary date. Input from appropriate supervisors will be included.

Reviewed and Approved, 1/22/2018

## **6.5 Employee Discipline**

### **6.5.1 Purpose**

It is expected that employees maintain high quality service in the performance of their job duties. Failure to do so may subject an employee to disciplinary action. Although the immediate purpose of disciplinary action is to correct unacceptable behavior(s), it is also intended that discipline be viewed as an opportunity to help employees strengthen their work performance and achieve personal growth in the work environment.

### **6.5.2 Disciplinary Actions**

Should performance, work habits, conduct, or demeanor become unsatisfactory in the judgment of the Library, as based on violations of Library policies, procedures, rules, or regulations, an employee may be subject to disciplinary actions as outlined below.

The discipline administered will depend on the circumstances in each case. The Library is not necessarily required to go through the entire disciplinary action process. Depending on the severity of the employee's behavior, discipline may begin at any step, including immediate termination. The disciplinary action process and failure to follow the process in every situation do not in any way create a contractual right to continued employment.

- Initial Warning - An initial warning may be given for relatively minor infractions. The warning may be verbal or in writing, such as via email.
- Written Warning / Write-Up - A written warning, also known as a write-up, constitutes a formal reprimand. A write-up may be issued by the Executive Director and/or Assistant Director after an initial warning if the employee fails to correct their behavior, or in lieu of an initial warning if the employee's behavior is more severe than applies to an initial warning. The write-up will detail the reason(s) for the action and, when appropriate, the

results of any inquiry or investigation of the incident. A copy of the write-up will be placed in the employee's personnel file and a copy will be provided to the employee. The employee may submit a written response to be added to the employee's personnel file.

- **Suspension Without Pay** - At the discretion of the Executive Director, an employee may be placed on suspension without pay in order to investigate an infraction for which an employee may face termination. The reason(s) for such action will be detailed in writing and, when appropriate, include the details of any inquiry or investigation of the incident. A copy of the suspension action will be placed in the employee's personnel file and a copy will be provided to the employee. The employee may submit a written response to be added to the employee's personnel file. If the employee is cleared by investigation, restitution of unpaid salary will be made.
- **Termination** - This form of disciplinary action results in permanent separation from Library employment. The Executive Director may terminate the employment of an employee for serious misconduct, incompetence, or failure to perform duties in a satisfactory manner. The reason(s) for such action will be detailed in writing. A copy of the termination action will be placed in the employee's personnel file and a copy will be provided to the employee.

### **6.5.3 Grievances**

An employee who believes that disciplinary action taken against them is inappropriate for the nature of the issue leading to said disciplinary action may choose to implement the Library's grievance policy (6.7 GRIEVANCE POLICY).

**Reviewed and Approved, 1/22/2018. Revised 3/18/2024.**

### **6.6 Separations**

Upon separation from employment, employees are responsible for the return of all Library property in their possession, including but not limited to building keys, name badges, and technological equipment. Failure to return Library property is a crime and could result in legal action. Library materials checked out on an individual's personal Library account are not subject to early return.

Employees separating from Library employment and who have accrued and unused vacation leave shall be monetarily reimbursed for such accrued and unused vacation leave at their final regular rate of pay.

**Reviewed and Approved, 1/22/2018. Revised 3/18/2024.**

#### **6.6.1 Resignation**

Employees resigning their position should notify the Executive Director in writing, including their anticipated last day of work. A minimum of two weeks written notice is customary for support staff, and four weeks written notice for professional staff is preferred. Failure to give proper notice will be recorded in the employee's personnel file.

**Reviewed and Approved, 1/22/2018**

#### **6.6.2 Termination**



See Policy 6.5.2 DISCIPLINARY ACTIONS regarding termination.  
Reviewed and Approved, 1/22/2018. Revised 3/18/2024.

### **6.6.3 Retirement**

Retirement from the Mississippi Valley Library District is governed by the retirement rules of the Illinois Municipal Retirement Fund and the Social Security Administration.

Reviewed and Approved, 1/22/2018. Revised 3/18/2024.

## **6.7 Grievance Policy**

The Board of Trustees realizes that employee problems and concerns arise from time to time. Usually, these concerns can be resolved through informal and open discussion on a day-to-day basis. Employees are encouraged to reach satisfactory solutions to these concerns by regular and open communication.

Reviewed and Approved, 1/22/2018. Revised 2/12/2018.

### **6.7.1 Definition**

A grievance is any difference arising between the employer and an employee in interpretation or application of Library policy or condition of employment which directly affects the employee in the performance of his or her duties.

Reviewed and Approved, 1/22/2018

Updated, 2/12/2018

### **6.7.2 Purpose and Scope**

The Library's philosophy is that all employees should have free and immediate access to management to raise any type of work-related concerns. Employees are encouraged to raise work-related concerns with their immediate supervisor as soon as possible after an event that may cause an employee to be concerned. Alternatively, if an employee believes that their immediate supervisor is not the appropriate person with whom to raise such matters, the employee is encouraged to bring their concerns to the attention of any other supervisor or any member of management.

Employees are further encouraged to pursue discussion of their work-related concerns with the management official under the Grievance/Complaint Procedure until their concerns are fully resolved. The Library cannot guarantee that in each instance the employee will be satisfied with the result, but in each case an attempt will be made to explain the resolution of the matter to the employee, even when it is not the result that the employee sought. The Library believes that such concerns are best addressed through informal and open communication. No employee will be disciplined or otherwise penalized for raising a good-faith concern.

The Library will attempt to keep confidential all such expressions of concern, their investigation, and the terms of their resolution. At the same time however, some dissemination of information to others may be appropriate and necessary during the process of investigating and resolving the employee's concerns.

Reviewed and Approved, 1/22/2018. Revised, 2/12/2018

## **6.8 Benefits**

### **6.8.1 Vacation**

After 90 days (computed from date of employment), employees shall become eligible for vacation with pay as defined in this section. Eligible employees will be compensated for up to

eight hours per vacation day. All vacation leave credited to an employee must be used prior to the start of the first full pay period of the next calendar year or be forfeited. There is no vacation rollover from year to year.

**Full-Time Employees:**

Vacation leave for the Executive Director and Assistant Director will be negotiated at time of hire. The Executive Director and Assistant Director will be granted an additional week of vacation at 5 years, and again at 10 years (not to exceed 5 weeks).

Vacation leave for full-time employees, excluding the Executive Director and Assistant Director, will be based on the following schedule and credited to each employee to use initially after the first 90 calendar days of employment and thereafter at the beginning of the first full pay period in January:

<u>Length of Service</u>	<u>Vacation</u>
Date of employment to 23 months	1 week (40 hours) per year
2 years to 4 years	2 weeks (80 hours) per year
5 years to 9 years	3 weeks (120 hours) per year
10 years and over	4 weeks (160 hours) per year

**Level 1 Part-Time Employees:**

Level 1 part-time employees will receive paid vacation leave based on the following schedule and credited to each employee to use initially after the first 90 calendar days of employment and thereafter at the beginning of the first full pay period in January:

<u>Length of Service</u>	<u>Vacation</u>
Date of employment to 5 years	1 week prorated
6+ years	2 weeks prorated

The prorated vacation leave will be based on the average number of hours an employee works in a typical week.

**Level 2 Part-Time Employees**

Level 2 part-time employees will receive 18 hours of paid vacation that will be available initially after the first 90 calendar days of employment, and thereafter at the beginning of the first full pay period in January.

**Vacation scheduling:**

Requests for vacation will be submitted to the Executive Director in accordance with current Library procedures. Requests should be submitted as far in advance as possible. In cases of two or more requests being received for the same period, priority will be given to the request(s) received first. Employees may not take more than two (2) weeks of vacation leave at one time. Final approval is at the discretion of the Executive Director after giving due consideration to the needs of the Library.

Reviewed and Approved, 3/19/2018. Revised 4/19/2021; 2/12/2024.

**6.8.2 Sick Leave**

## **General**

Sick leave may be used for personal physical or mental illness, the care of a family member, medical testing and diagnosis, treatment, or preventative care. This includes, but not limited to, doctor, dentist, and eye doctor appointments. Eligible family members are defined as a child (biological, adopted, stepchild, or legal ward), spouse, sibling, parent, mother- or father-in-law, grandchild, grandparent, stepparent, or a member of the employee's household not previously defined.

After three consecutive days of sick leave, a doctor's statement may be required. Suspected abuse of sick leave may result in the requirement of a doctor's statement.

### **Full-Time Employees:**

Each full-time employee will be granted four hours of paid sick leave per pay period. A maximum of 30 days at eight (8) hours a day, for a total of 240 hours, of unused sick leave may be accumulated for employee use in case of illness. Unused sick leave over 30 days/240 hours will be recorded for purposes of pension service credit in accordance with IMRF regulations.

Upon retirement, the employee may choose to be paid 50% of accrued sick leave or choose to convert the unused, unpaid sick leave into retirement service credit. The Illinois Pension Code (ILCS 7/5-139(a)8) allows retiring members to convert unused, unpaid sick leave to service credit. A member can convert up to 240 days; they receive one month of service credit for every 20 days (or fraction thereof) of unused, unpaid sick leave up to a maximum of one year of pension credit. For example, if a member has 20 days of sick leave, they can receive one month of service credit; if they have 21 days of sick leave, two months of service credit, etc. Fifty percent (50%) of sick leave will be paid to a beneficiary upon the death of the employee. Voluntary resignations and involuntary terminations do not qualify for sick leave payout.

### **Level 1 Part-Time Employees:**

Level 1 part-time employees will be granted 2 hours of paid sick leave per pay period. A maximum of 30 days at eight (8) hours a day, for a total of 240 hours, of unused sick leave may be accumulated for employee use in case of illness. Unused sick leave over 30 days/240 hours will be recorded for purposes of pension service credit in accordance with IMRF regulations.

Upon retirement, the employee may choose to be paid 50% of accrued sick leave or choose to convert the unused, unpaid sick leave into retirement service credit. The Illinois Pension Code (ILCS 7/5-139(a)8) allows retiring members to convert unused, unpaid sick leave to service credit. A member can convert up to 240 days; they receive one month of service credit for every 20 days (or fraction thereof) of unused, unpaid sick leave up to a maximum of one year of pension credit. For example, if a member has 20 days of sick leave, they can receive one month of service credit; if they have 21 days of sick leave, two months of service credit, etc. Fifty percent (50%) of sick leave will be paid to a beneficiary upon the death of the employee. Voluntary resignations and involuntary terminations do not qualify for sick leave payout.

### **Level 2 Part-Time Employees**

Level 2 part-time employees will be granted 1 hour of paid sick leave per pay period. Unused sick leave can be accumulated to a maximum of 240 hours.

Reviewed and Approved, 3/19/2018. Revised 4/19/2021.

### **6.8.3 Paid Leave for All Workers**

This paid leave policy applies to all employees who are not entitled to at least 40 hours of paid time off (which can be used for any purpose) under other Library policies. This paid leave policy is provided pursuant to the Illinois Paid Leave for All Workers Act.

#### **6.8.3.1 Basic Leave Entitlement/ Accrual Methods**

All employees are eligible to earn one (1) hour of paid leave for every 40 hours worked with accrual capped at 40 hours of paid leave per 12-month period. This approximately equates to annual accruals of:

- 40 hours for full-time employees
- 36 hours for Level 1 part-time employees
- 25 hours for Level 2 part-time employees

The 12-month “accrual period” is as follows:

A STANDARDIZED PERIOD USING THE FRONT-LOAD METHOD. The Library will award paid leave annually at the beginning of the first full pay period in January. The Library will front-load all paid leave time the employee is entitled to earn for the upcoming calendar year, based on their current work schedule through the remainder of the year. The Library may increase the available paid leave time for any employees that substantially change their work schedule at any time during the calendar year in order to ensure that the Library is providing the correct amount of leave earned by the employees based on their hours worked. Employees who begin work on or after October 2 will receive their full hours for immediate use at the beginning of the first full pay period in the following January.

#### **6.8.3.2 Notice of Leave**

If the use of paid leave is foreseeable, the employee must give the Library at least seven (7) days’ notice of the planned leave in accordance with the Library’s usual procedure for requesting time off. Failure to provide such notice may be grounds for delay or denial of the leave. Where the need for leave is not foreseeable, the employee is expected to notify the Library as soon as practicable and, absent unusual circumstances, in accordance with the Library’s normal leave procedures.

#### **6.8.3.3 Use of Paid Leave**

Paid leave may be used starting on April 1, 2023, or after an employee has been employed for at least 90 days, whichever is later. Paid leave must be used in increments of at least two (2) hours.

Employees may use their paid leave for any reason. Employees are not required to provide the Library with a reason for the leave, nor are they required to provide documentation or certification in support of the leave. Additionally, employees are not required to search for or locate a replacement worker to cover the employee’s use of personal leave.

However, there may be times when the Library is unable to grant a request for time off under this policy; for example, to meet the operational needs of the organization, to maintain required staffing levels, to meet patron/seasonal demands, and/or to ensure that safety objectives are met. The MVLD will provide to the employee, and maintain a record of, the leave request and the reason for denial. In the event an employee’s request is denied for one of these reasons, employees can: 1) check to see if their request is covered under another Library policy, or 2) re-submit their request for an alternative date.

#### 6.8.3.4 Carryover

Employees must use all paid leave prior to the start of the first full pay period of the next calendar year. No carryover of unused paid leave will be granted and any unused leave will be forfeited.

#### 6.8.3.5 Payment of Leave/ Reinstatement of Leave

Paid leave will be at the employee's base pay rate at the time the leave is taken, or the required minimum wage, whichever is higher. Paid leave is not included in overtime calculations and does not include any special forms of compensation such as incentives, commissions, or bonuses. Employees will not be paid any accrued but unused paid leave upon termination of employment.

If an employee separates from the MVL and returns within the same 12-month period, with the first day of the period defined as the first date of the first full pay period in January, the employee is entitled to reinstatement of their unused, front-loaded paid leave.

**Reviewed and Approved, 3/19/2018. Personal Leave Policy replaced 2/12/2024.**

### **6.8.4 Family and Medical Leave**

Family and medical leave will be granted when a full-time employee or immediate family member becomes seriously ill or disabled or when a new child is in the home. To be eligible for family and medical leave, an employee must be full-time and have 12 months of continuous service with the Library. Employees who do not meet these requirements are not entitled to leave under this policy. An eligible employee may request up to 12 work weeks of this category of leave during any 12 month period.

#### **Parental Leave**

Parental leave under this policy is a paid leave associated with the birth of an employee's own child or the placement of a child with the employee in connection with adoption or foster care. Parental leave is not charged against the employee's leave credits, and the amount of paid days received is two weeks. To be eligible for parental leave, employees must be full-time and have worked for the Mississippi Valley Library District for one full year.

Health insurance benefits will continue to be provided during the paid parental leave under this policy at the same rate as in effect before the leave was taken regardless of length of service provided the employee has at least one full year of service.

Two weeks of leave shall be paid with benefits for the care of a newly born or adopted/fostered child. The employee must provide 30 days' notice (or as much notice as practicable if the leave is not foreseeable) to the Executive Director.

After the two weeks of parental leave has concluded, subsequent leave shall be covered under appropriate policies. The Family and Medical Leave Act (FMLA) allows employees up to 12 workweeks of unpaid leave annually. Paid leave under this policy shall run concurrently with FMLA leave. The balance of FMLA leave beyond the two weeks of paid parental leave is unpaid unless the employee chooses to use sick and/or vacation time. Parental leave is considered time used against the maximum 12 weeks of family medical leave and runs concurrently with FMLA or any other leaves for which the employee is eligible. After the paid parental leave is exhausted, the employee may charge sick leave and/or vacation leave.

Temporary employees are not eligible for parental leave. Temporary employees who may be eligible for leave under the FMLA are limited to 12 workweeks of unpaid leave and are ineligible for additional leave granted under this policy.

Reviewed and Approved, 9/16/2019

### **Employee's Serious Health Condition**

If the leave is planned in advance, employees must provide the Library with at least 30 days notice prior to the anticipated leave, in writing to the Executive Director. If the leave is unexpected, employees should notify the Executive Director immediately and put the request in writing as soon as possible.

The employee will be required to use all unused sick, vacation and personal days during the leave period. Once such benefits are exhausted, the balance of the leave will be without pay. Sick leave will cease to accrue during the leave period.

All group health benefits will continue during the leave provided employees continue any payments they regularly make to the plan. Other benefits (such as pension) will be governed by the terms of the plan.

During this leave, employees may be required to provide the Library with additional physician's statements on request explaining their disability and inability to work. Before employees can return from medical leave, they must present a statement from their physician indicating that they are able to return to work and perform the functions of their position or indicate any limitations that have been placed upon them.

### **Reinstatement Rights**

Eligible employees returning from leave are entitled to be reinstated to their former position or one equivalent in benefits, pay and other conditions of employment. Exceptions to this provision may apply if financial circumstances have changed and caused the position to be eliminated. Exceptions may also apply for certain highly compensated employees under certain conditions.

### **Leave for Employees Who Do Not Meet the Minimum Service Requirements**

Employees who do not meet the employment requirements stated above may request leave with the same notification processes listed above. The certification requirements and conditions for required use of accrued time off, benefits accrual, and continuation of group health insurance during the leave will be the same as those indicated above. Unless applicable state or local law requires otherwise, reinstatement will not be guaranteed to any employee requesting leave under this section of this policy. The Library will attempt to place the employee returning from leave in their former position or a comparable one dependent upon the library's budget, the need to fill vacancies, and the library's ability to find a qualified temporary replacement.

Reviewed and Approved, 3/19/2018

## **6.8.5 Victims' Economic Security and Safety Act (VESSA)**

The Library complies with the Victims' Economic Security and Safety Act (VESSA). Any part- or full-time employee who is a victim of domestic violence, sexual violence, gender violence, or any other crime of violence, or who has a family or household member who is a victim of domestic violence, sexual violence, gender violence, or any other crime of violence, may take an unpaid VESSA leave up to 8 work weeks during any 12-month period to:

- Seek medical attention for, or recovery from, physical or psychological injuries;

- Obtain victim services;
- Obtain psychological or other counseling;
- Participate in safety planning, including temporary or permanent relocation or other actions to increase the safety of the victim from future crimes of violence or domestic, sexual, or gender violence or ensuring economic security; or
- Seek legal assistance or remedies to ensure the health and safety of the victim, including preparing for or participating in any civil or criminal legal proceeding related to the violence.

Additionally, any part- or full-time employee may take an unpaid VESSA leave up to 2 work weeks to:

- Attend the funeral or alternative to a funeral or wake of a family or household member who is killed in a crime of violence;
- Make arrangements necessitated by the death of a family or household member who is killed in a crime of violence; or
- Grieve the death of a family or household member who is killed in a crime of violence.

Leave for the death of a family or household member who is killed in a crime of violence must be completed within 60 days after the date on which the employee receives notice of the death of the victim. Leave under this provision will run concurrently with bereavement leave under the Family Bereavement Leave Act (FBLA), if FBLA leave is applicable. Leave under this provision is in addition to the 8 work weeks allowed under this policy for other purposes, if the precipitating event qualifies for both types of VESSA leave.

“Family or household member” as defined by the Act means a spouse or party to a civil union, parent, grandparent, child, grandchild, sibling, or any other person related by blood or by present or prior marriage or civil union, other person who shares a relationship through a child, or any other individual whose close association with the employee is the equivalent of a family relationship as determined by the employee, and persons jointly residing in the same household. [820 ILCS 180/10]

Employees taking leave under this policy may elect to substitute accrued paid vacation, sick, or personal time or any other applicable paid time off for any part of the victims’ economic security and safety leave. Such substitution will not extend the employee’s total allotment of time off under this policy.

An employee requesting VESSA leave is required to give 48 hours' notice in the event of a foreseeable leave. In unexpected or unforeseeable situations, an employee should provide as much notice as is practicable, usually verbal notice within one or two business days of when the need for leave becomes known.

Upon return from VESSA leave, the employee shall be reinstated to their original job or a job of like status and pay. The employee may be required to submit a certification demonstrating the need for leave. The certification must be provided by the employee as soon as reasonably possible and within 15 days after leave is requested. The certification requirement may be satisfied by the submission of a sworn statement from the employee and one of the following:

- Documentation from a victim services organization, attorney, clergy, or medical or other professional from whom the employee or the family/household member has sought assistance from in addressing domestic, sexual, or gender violence and/or its effects;
- A police or court record;

- A death certificate, published obituary, or written verification of death, burial, or memorial services from a mortuary, funeral home, burial society, crematorium, religious institution, or government agency, documenting that a victim was killed in a crime of violence; or
- Other corroborating evidence.

All documentation related to the employee's need for the leave pursuant to this policy will be held in strict confidence and will only be disclosed as required/permitted by law.

The Library will require the employee to report periodically on their status and intent to return to work.

VESSA leave will be counted on a 12-month period rolling forward from the date of the first day of VESSA leave. VESSA leave may be taken intermittently or on a reduced work schedule. If elected by the employee, VESSA leave will run concurrently with other eligible paid leaves of absence (for example, sick leave, paid vacation, personal day). When the employee's need for leave also qualifies as FMLA leave, or for long-time disability, these leaves will run concurrently. The Library will attempt to provide reasonable accommodations for VESSA, unless such accommodations would present undue hardship. Reasonable accommodation applies to applicants and employees and may include adjustment to a job structure, workplace facility, or work requirement, transfer, reassignment, or modified schedule, leave, a changed telephone number or seating arrangement, installation of a lock, implementation of a safety procedure or assistance in documenting domestic violence, sexual violence, gender violence, or any other crime of violence that occurs at the workplace or in work-related settings, in response to actual or threatened domestic violence, sexual violence, gender violence, or any other crime of violence. To request a reasonable accommodation, the employee should give a written request to the Executive Director at the earliest possible time.

Reviewed and Approved 3/19/2018. Revised 2/10/2020; 9/20/2021; 2/12/2024.

### 6.8.6 Holidays

The library will be closed and all full-time employees will be paid for all holidays approved by the Board of Trustees. Those holidays are as follows:

New Year's Day	Labor Day
Martin Luther King Day	Veterans Day
President's Day	Thanksgiving Day
Easter Day	Family Day (the day after Thanksgiving)
Memorial Day	Christmas Eve Day
Juneteenth	Christmas Day
Independence Day	New Year's Eve

When a holiday falls on a Sunday, the immediately following Monday is the observed holiday. When two back-to-back holidays fall on a Sunday and Monday, both holidays will be observed a day later. Example - Sunday, December 31 (New Year's Eve) will be observed on Monday, January 1 and Monday, January 1 (New Year's Day) will be observed on Tuesday, January 2.

Reviewed and Approved, 3/19/2018. Revised 10/18/2021, 3/21/2022, 1/13/2023.

### 6.8.7 Bereavement



Bereavement leave with pay will be granted per occurrence to employees to mourn the passing or to prepare for the imminent death of a person or persons of significant importance to the employee, as well as to cover pregnancy loss, failed adoptions or surrogacy agreements, unsuccessful reproductive procedures, and other diagnoses or events negatively impacting pregnancy or fertility:

- Up to 40 hours for full-time employees
- Up to 28 hours for Level 1 part-time employees
- Up to 18 hours for Level 2 part-time employees

Additionally, employees may take up to two weeks (10 working days) of unpaid leave for events covered by the Illinois Family Bereavement Leave Act (FBLA) to grieve, to attend a funeral, or to make arrangements necessitated by the death of a person or persons of significant importance to the employee. This unpaid leave will run concurrently with the paid leave.

The Library may require reasonable documentation to certify that an employee requesting FBLA leave experienced an event covered by the Act, but employees are not required to identify the specific event that qualifies them for leave. Reasonable documentation includes but is not limited to death certificates, published obituaries, and documentation from an adoption or surrogacy organization.

Reviewed and Approved, 3/19/2018. Revised 5/16/2022; 7/17/2023.

#### **6.8.8 Jury Duty**

Full-time employees called for jury duty will receive their regular pay during the time they are serving. Part-time employees called for jury duty will be excused from their scheduled shifts. The jury stipend may be kept by the employee. A copy of the certification of jury duty service will be given to the Executive Director upon completion of said service.

Reviewed and Approved, 3/19/2018

#### **6.8.9 Military Leave**

Leaves of absence for military or reserve duty are granted to all employees of the Library. Employees called to active military duty or to reserve or National Guard training, or volunteering for the same, should submit copies of their military orders to their supervisor as soon as is practicable. Employees will be granted a military leave of absence for the period of military service in accordance with applicable federal and State laws. Employees who are reservists or members of the National Guard are granted time off for required military training. This leave of absence includes time off for (i) service in a federally recognized auxiliary of the U.S. Armed Forces when performing official duties in support of military or civilian authorities as the result of an emergency; (ii) service covered in the Illinois State Guard as defined by the Illinois State Guard Act; and (iii) a period for which an employee is absent from a position of employment for the purpose of medical or dental treatment for a condition, illness, or injury sustained or aggravated during a period of active service in which treatment is paid by the United States Department of Defense Military Health System.

Their eligibility for reinstatement after the completion of above, benefit continuation/eligibility and payment for leave issues are determined in accordance with applicable federal and State laws. Employees may elect, but are not required, to use any vacation entitlement for any portion of the absence that may be unpaid. Training leaves will not normally exceed two weeks per year, plus reasonable travel time.

Employees who are required to serve in the Armed Forces must give advance written or verbal notice for military duty, unless giving notice is impossible, unreasonable, or is precluded by military necessity.

Reviewed and Approved, 10/21/2019

#### **6.8.10 Other Leaves of Absence**

From time to time an employee may request a leave of absence not covered under another policy. The Executive Director has the authority to decide on a case-by-case and equitable basis whether or not to approve such leaves of absence and whether or not the leaves of absence will be paid.

Reviewed and Approved 4/19/2021.

#### **6.8.11 Requests and Approval of Leave**

All leave requests should be made in accordance with current Library procedures to the Executive Director before the schedule covering the date(s) is posted. In emergency situations, leave may be granted verbally by the Executive Director or the Assistant Director. Requests for leave will be approved or denied in a timely manner. Every effort will be made to honor employees' requests, but first consideration goes to the proper staffing of the Library.

When an employee wants to take leave after the schedule has been posted, the employee will ask the Executive Director for the schedule adjustment. The Executive Director will make a final determination for the employee's request.

Reviewed and Approved, 3/19/2018. Revised 4/19/2021.

#### **6.8.12 Pensions**

Participation in the Illinois Municipal Retirement Fund (IMRF) is required by law for full-time employees and part-time employees working more than 1000 hours per anniversary year. The employee contribution rate is set by state statute and is currently 4.5% which will be deducted per pay period.

IMRF's Voluntary Additional Contribution (VAC) program is available to any IMRF participant. Voluntary Additional Contributions:

- Are limited to a maximum of 10% of an employee's IMRF reportable earnings, up to the Tier 2 wage cap.
- Are after tax, not tax-deferred.
- Are a separate individual account consisting only of the employee's contributions and any interest earned on them. Employers do not make any contributions to employees' VAC accounts.
- Accrue interest differently than traditional saving accounts.
- Continue to earn interest for as long as they are left on deposit with IMRF.

Reviewed and Approved, 3/19/2018

#### **6.8.13 Health Insurance**

- 100% of the premium for Health Insurance is paid by the Library for the employee only; additional family members may be added and that share of the premium will be deducted monthly.

- 100% of the premium for Dental Insurance is paid by the Library for the employee only; additional family members may be added and that share of the premium will be deducted monthly.

Reviewed and Approved, 3/19/2018

#### **6.8.14 Workers Compensation Insurance**

Workers' compensation is a form of insurance providing wage replacement and medical benefits to employees injured in the course of employment in exchange for mandatory relinquishment of the employee's right to sue their employer for the tort of negligence. This insurance covers all Library employees who qualify for this benefit as defined.

Reviewed and Approved, 3/19/2018

#### **6.8.15 Reimbursements**

The Mississippi Valley Library District (hereafter "Library") will comply with the Illinois Wage Payment and Collection Act [820 ILCS 115]. In compliance with section 9.5, the Library will reimburse staff for necessary expenses.

#### **General**

##### **1. Definitions**

"Necessary expenses" or "necessary expenditures" are defined by this Act as "all reasonable expenditures or losses required of the employee in the discharge of employment duties and that inure to the primary benefit of the employer."

##### **2. Procedure for Reimbursement**

No expenses shall be reimbursed without a reimbursement request form as supplied by the Library. The form is to be completely filled in and receipts are to be attached. If supporting documentation is lost, missing, or does not exist, the employee requesting reimbursement must provide a signed, written statement in lieu of a receipt. Unless otherwise stated, reimbursement requests are to be submitted within 30 days after the expense was incurred. In the event that travel is prepaid, actual receipts must be turned in and attached to the reimbursement request form within 30 days of the completion of travel. Any amount paid in excess of the actual receipts filed must be repaid to the Library within 30 days.

Reviewed and Approved 2/10/2020

#### **Travel Reimbursement**

The Mississippi Valley Library District will comply with the Local Government Travel and Expense Control Act [50 ILCS 150/1].

##### **1. Definitions**

"Entertainment" includes, but is not limited to, shows, amusements, theaters, circuses, sporting events, or any other place of public or private entertainment or amusement, unless ancillary to the purpose of the program or event.

"Travel expense" means any expenditure directly incident to official travel by employees, members of the governing board (hereafter "Board"), and officers of the Library for specific Library purposes.

##### **2. Types of Travel**

The Library will only approve travel expenses for employees or officers if the travel is necessary to complete official Library business, for the education of employees or officers, or necessary to obtain information for the betterment of the Library in some capacity.

### **3. Types of Expenses Allowed and Prohibited**

- a. The actual cost of transportation is allowed (for example, airline tickets, train tickets, taxi fare and the like), as well as personal vehicle costs reimbursed at the current IRS mileage rate for business.
- b. The costs of lodging at a hotel or motel are allowed if an overnight stay is necessary.
- c. The costs of meals while traveling are allowed.
- d. The costs of conference fees, supplies, and books for educational purposes are allowed.
- e. Other costs that are allowed include: tolls and tips paid to service providers (such as skycaps, concierges, taxi drivers, and hotel housekeepers) while traveling on Library business.
- f. Entertainment expenses, as defined above, are not allowed and must be paid for personally by the traveler, and no costs for alcohol or liquor are permitted.

### **4. Maximum Allowable Reimbursement Without Board Approval**

Library employees and officers may receive reimbursement for travel expenses without specific Board approval as long as the expenses are under the Maximum Allowable Reimbursement as stated herein and the Procedure for Reimbursement is followed.

- a. The Board will post the maximum allowable reimbursement for food, lodging, and transportation in the office of the Executive Director. The maximum allowable reimbursement shall change from time to time at the direction of the Board. The Board shall use the following overriding principles to determine the maximum:
  - i. Cost of travel shall be the actual expense incurred. Only coach flight expenses will be approved; any upgrades to first or business class will be at the expense of the traveler. Any personal automobile expenses will always be approved at the IRS rate for business travel if the traveler uses their own automobile.
  - ii. Cost of food shall not include the cost of alcoholic beverages and should be reasonable and customary for the area.
  - iii. Cost of lodging should be reasonable and customary for the area where the traveler is staying.
- b. The total maximum for any travel for Library purposes allowed is \$3,000.
- c. In the event of an emergency or extraordinary circumstance, reimbursement may be approved over the \$3,000 maximum reimbursement limit if approved by a majority of the Board at a properly noticed and regularly scheduled Board meeting subject to a roll call vote.

### **5. Expenses Incurred by Board Members**

Expenses may only be approved for reimbursement by the Board as a whole at a normally scheduled Board meeting subject to a roll call vote.

Reviewed and Approved 2/10/2020

### **Personal Device Reimbursement**

The Library does not offer reimbursement of employee expenses related to the use of personal devices including, but not limited to, mobile phones, tablets, and computers for Library business. The Library does not require any employee to use their personal devices for Library business.

## **1. Expectations**

It is expected that all Library staff will take reasonable measures to prevent unnecessary use of their personal devices for Library business. Examples of these measures include, but are not limited to: limiting email correspondence to business hours and on Library devices, making phone calls with Library phones, scheduling future social media posts during business hours, and using Library devices to make social media posts during business hours.

Reviewed and Approved 2/10/2020

## **Tuition Reimbursement**

- Budget permitting, the Library will pay up to \$500 per term for a class or classes approved in advance by the Executive Director.
- The Executive Director has sole discretion to approve or deny a tuition reimbursement request.
- Full-time and part-time staff are eligible to request tuition reimbursement.
- The Library will reimburse the actual amount of the class or \$500, whichever is less, upon completion of the class(es) with proof of initial payment and a grade of B or better. A class taken pass/fail is not eligible.
- Classes are to be taken on the employee's own time.
- If an employee voluntarily terminates employment with the Library within 12 months of receiving a tuition reimbursement, the employee will reimburse the Library for the full amount received under this policy within the last 12 months. The Library will settle the employee's reimbursement dues at the time of separation.

Reviewed and Approved, 3/19/2018. Revised 11/18/2019

## **6.8.16 Staff Development and Training**

- Staff development and training improves the quality of library service offered to the users of the Library by encouraging and providing for the growth and the skills of staff members. The Library will be closed until 1:00 p.m. on designated Fridays for staff development and training.
- Budget permitting, the Executive Director may send staff members to training classes on a case by case basis.

Reviewed and Approved, 3/19/2018

## **6.8.17 Professional Affiliations**

Exempt staff are encouraged to become members of professional organizations and to participate in the work of these organizations.

- Budget permitting, time with pay and expenses may be allowed for the Executive Director and/or the Assistant Director to attend library conferences and other professional meetings.
- Budget permitting, the Library will pay membership dues for the Executive Director, the Assistant Director, and any interested Trustees in the American Library Association and the Illinois Library Association.

Reviewed and Approved, 3/19/2018

## **6.9 Whistleblower Policy**

### **Definitions**

"Auditing official" or "auditor" as applied to this policy is a MVLDT Trustee appointed by the Library Board of Trustees' President at the beginning of each fiscal year. In the event that the

appointed individual is the subject of the complaint and/or not available, the Library's Executive Director will fulfill the role. The auditor or their designee has the authority to appoint other members of the management team, Board members, and/or outside counsel/consultants to assist with the investigation.

"Improper governmental action" means any action by a Library employee or appointed or elected official that is undertaken in violation of a federal, state, or local law or rule; is an abuse of authority; violates the public's trust or expectation their conduct; is of substantial and specific danger to the public's health or safety; or is a gross waste of public funds. The action need not be within the scope of the official's or employee's official duties to be subject to a claim of improper governmental action. This definition does not include personnel actions such as, but not limited to, employee grievances, performance evaluations, promotions, transfers, demotions, suspensions, dismissals, reductions in pay, or reinstatements.

"Retaliate," "retaliation," or "retaliatory action" means any adverse change in an employee's employment status or the terms and conditions of employment that results from an employee's protected activity under this policy. It includes, but is not limited to, denial of adequate staff to perform duties, frequent staff changes, frequent and undesirable office changes, refusal to assign meaningful work, unsubstantiated letters of reprimand or unsatisfactory performance evaluations, demotion, reduction in pay, denial of promotion, transfer or reassignment, suspension or dismissal, or other disciplinary action made because of an employee's protected activity under this policy.

"Whistleblower" as defined by this policy is an employee or contractor of the Mississippi Valley Library District (hereafter "Library") who reports an activity that they consider to be illegal or dishonest to the auditor or their designee.

### **Illegal or Dishonest Activities**

Examples of illegal or dishonest activities include, but are not limited to, violations of federal, state, or local laws; billing for services not performed or for goods not delivered; and other fraudulent financial reporting.

### **False Reporting**

The employee or contractor filing a whistleblower report must exercise sound judgment to avoid baseless allegations. An employee or contractor who intentionally files a false report of wrongdoing will be subject to disciplinary action up to and including termination.

### **Whistleblower Protections**

Whistleblower protections are provided in two important areas: confidentiality and against retaliation. Insofar as possible, the confidentiality of the whistleblower and any witnesses will be maintained. However, identity may have to be disclosed to conduct a thorough investigation, to comply with the law, and/or to provide accused individuals their legal rights of defense.

The Library will not retaliate against a whistleblower for:

- Reporting an improper governmental action pursuant to this policy,
- Cooperating with an investigation by an auditing official related to a report of improper governmental action, or
- Testifying in a proceeding or prosecution arising out of an improper governmental action

This protection includes, but is not limited to, protection from retaliation. Any whistleblower who believes they are being retaliated against should contact the auditor or their designee immediately. Reports of retaliation must be made within 60 days of gaining knowledge of the

retaliatory action. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.

### **Process for Reporting Illegal or Dishonest Activity, Review of Report, and Resolution of Investigation**

- Whistleblower and retaliation claims should be reported to the designated auditor or, in the event that they are named in the complaint and/or unavailable, the Executive Director. Reports must be made in writing.
- Upon receiving such a report, the auditor or their designee will consult with others (such as the Board of Trustees or outside counsel) to determine whether the claim falls under the whistleblower policy and, if so, how to proceed. Employment-related concerns, including but not limited to harassment, discrimination, bullying, and other such work-related complaints are not covered by this policy (*see 2.7 Non-Discrimination and Anti-Harassment Policy and 6.7 Grievance Policy*).
- After a written report is received by the auditor and determined to be covered by this policy, a written acknowledgement may be sent to the complainant including a timeline for review, investigation, and resolution.
- The auditor or their designee may meet with the complainant, respondent, and/or other witnesses as part of the investigation. The auditor or their designee has the authority to conduct multiple interviews, if needed. The auditor or their designee may also request written statements and/or other documentation that may be pertinent to the resolution of the complaint.
- If it is determined that the conduct that is the subject of the complaint involves fraud, illegal, and/or egregious conduct, the auditor or their designee has the authority to conduct the investigation in a more formal manner. This may include a report to law enforcement agencies.
- Upon completion of the investigation, the complainant and respondent will be notified in writing that the investigation is complete and what the determination is. If the auditor or their designee determines this policy has been violated, the Board of Trustees will be notified. Remedies and discipline for policy violations will be in accordance with applicable law.

Reviewed and Approved 7/17/2023.

## **6.10 Miscellaneous Personnel Policies**

### **6.10.1 Personnel Files**

A personnel file will be maintained for each employee. Each employee will have the right upon written request to the Executive Director, or the Secretary of the Board of Trustees, to review the contents of the employee's own personnel file in the presence of the Executive Director or Board Secretary, and place in the file written reactions to any of its contents. An employee can petition in writing to the Executive Director or the Board of Trustees to have subjective materials removed from their file. Personnel files will be kept in a locked filing cabinet in the Executive Director's office. Files on pending disciplinary action will be separate and remain confidential until the conclusion of all disciplinary procedures.

Reviewed and Approved, 3/19/2018

### **6.10.2 Drug Free Workplace**

The Mississippi Valley Library District has a longstanding commitment to provide a safe and productive work environment. Alcohol and drugs in the workplace, including cannabis, pose a threat to the health and safety of employees and to the security of our equipment and facilities. For these reasons, the Mississippi Valley Library District is committed to the elimination of drug and/or alcohol use and abuse in the workplace.

### **Prohibited Activity**

The possession, consumption, purchase, sale, delivery, transfer, or distribution of alcohol, cannabis, or illegal drugs on Mississippi Valley Library District premises is prohibited, unless an exception is made by the Mississippi Valley Library District. No employee shall be under the influence of alcohol, cannabis, or illegal drugs while on Mississippi Valley Library District premises or while performing Mississippi Valley Library District business off Mississippi Valley Library District premises except a moderate amount of alcohol may be consumed at approved Mississippi Valley Library District events provided such consumption does not adversely affect an employee's behavior or judgment and, if the employee will drive a motor vehicle following the event, does not adversely affect the employee's ability to safely and legally drive the vehicle. A violation of this moderate consumption rule will result in discipline up to and including termination of employment.

"Legal drugs" are: (1) drugs that are permitted under state or federal law, (2) obtained by an employee with a physician's prescription or over-the-counter, and (3) used for the purposes for which they were prescribed or sold. Employees using cannabis must be aware of any potential effect such drugs may have on their judgment or ability to perform their duties and may not possess, use, or be under the influence of cannabis while performing their duties, while on Mississippi Valley Library District property, or while operating vehicles for the Mississippi Valley Library District. Employees are responsible for consulting with their doctors about a prescription medication's effect on their ability to work safely, and promptly disclose any restrictions to their supervisor. In the event an employee fails to report such restrictions and creates a safety threat, neither a physician's prescription nor other medical reason will be an acceptable excuse for being in violation of this policy. Employees should not, however, disclose underlying medical conditions unless specifically directed to so.

"Illegal drugs" are drugs or controlled substances that are: (1) not legally obtainable under federal or state law, or (2) legally obtainable under federal and state law, but not obtained and/or used in a lawful manner. The use, purchase, sale, transfer, possession, being under the influence, or the presence in one's system of a detectable amount of an illegal drug by any employee is prohibited: (1) on Mississippi Valley Library District premises or (2) where the employee is performing Mississippi Valley Library District business off Mississippi Valley Library District premises.

### **Testing for alcohol and drugs**

The Mississippi Valley Library District will require a drug and alcohol test of any employee where there is a reasonable suspicion to believe that he or she may be using drugs or may be under the influence of drugs or alcohol while working, on Mississippi Valley Library District premises, or operating Mississippi Valley Library District vehicles. "Reasonable suspicion" will be based on objective factors such as the employee's appearance, speech, behavior, or other conduct or facts that indicate the employee is under the influence of legal or illegal drugs, cannabis, alcohol, or any or all of the above. Involvement in an injury or accident at work or while performing Mississippi Valley Library District business may also be grounds for testing if a member of management has a reasonable belief that drugs/alcohol may have contributed to the injury or accident. Employees will be required to sign a consent and release form prior to drug



or alcohol testing. Test results will be kept confidential to the extent possible and consistent with applicable law.

Employees who refuse to cooperate in required tests; test positive for alcohol, cannabis, or illegal drugs; are found to be under the influence of alcohol, cannabis, or illegal drugs; or use, possess, buy, sell, manufacture or dispense alcohol, cannabis, or illegal drugs in violation of this policy (as discussed above) will be terminated. In addition, if an employee fails to report immediately to the testing location upon request, comply with any testing procedures (including attempting to substitute, dilute, or otherwise change specimens to be tested) and/or fails to provide specimens unless medically incapable, he or she will be considered as refusing to test and subject to discipline, up to and including termination.

The laboratory conducting the tests shall transmit positive drug tests results to a doctor ("MRO"), retained by the Mississippi Valley Library District, who shall offer persons with positive results a reasonable opportunity to establish that their results are caused by lawful prescribed medicines or other lawful substances. (A medical cannabis prescription or a claim that cannabis was used "off duty" is not a defense to a reasonable suspicion test). Persons with positive test results may also ask the MRO to have their split specimen sent to another federally certified lab, to be tested at the employee's or applicant's own expense. Such requests must be made within three (3) working days of notice of test results. If the second lab fails to find any evidence of drug use in the split specimen, the employee or applicant will be treated as passing the test.

#### **Notification of Drug Conviction**

Employees must notify the Mississippi Valley Library District of any criminal drug conviction occurring in the workplace no later than five days after such conviction. For the purpose of this notice requirement, a conviction includes a finding of guilt, a no contest plea, and/or an imposition of sentence by any judicial body for any violation of a criminal statute involving the unlawful manufacture, distribution, sale, dispensation, possession or use of any controlled substance or cannabis. Failure to notify the Executive Director may subject the employee to disciplinary action, up to and including dismissal.

#### **Employee Assistance Program**

The Mississippi Valley Library District will assist and support employees who voluntarily seek help for alcohol or drug problems *before* they become subject to disciplinary action under this or other Mississippi Valley Library District policies. Employees who seek such assistance will be allowed to use accrued paid time off, placed on leaves of absence, where available, referred to treatment providers or otherwise accommodated as required by law. Such employees may be required to document that they are successfully following prescribed treatment and required to take and pass follow-up tests.

Reviewed and Approved, 3/19/2018; Revised 11/18/2019

#### **6.10.3 Adverse Weather Conditions**

In the event of extreme adverse weather, the Executive Director and/or the Assistant Director, will determine whether the Library will be open and at what time. If the Library is to be officially closed, employees will be notified by 7:00 a.m. Those scheduled to work will be paid for their entire shift.

If it is necessary to have a late opening, employees will be notified by 7:00 a.m. By mid-morning, the staff will be notified of the official opening time. Those scheduled to work will be paid for their entire shift. When the Library has not been officially closed, and an employee arrives late or must miss work due to weather conditions, the missed time will be charged to

vacation or personal leave. If an employee has scheduled time off on an adverse weather day, his/her time will be credited for the amount of excused time allowed for the adverse weather.  
Reviewed and Approved, 3/19/2018

#### **6.10.4 Employee Internet, Email, and Telephone Use Policy**

The Mississippi Valley Library District (hereafter "Library") furnishes computers for employees' use in conducting official business. This includes access to email and the Internet. The Library also has software and systems in place that can monitor and record all Internet usage. The email and Internet access systems in place are the sole property of the Library. The technology is in place for business related to the Library. The technology may not be used for any purpose which would violate the Library's policies or state or federal law. If an employee is found to be abusing the technology, his or her access may be limited or eliminated altogether. Nothing on the Internet system or any property of the Library, including phones or voicemail, is or can become the private property of any employee.

Employees may use the technology for some limited personal use as long as that use does not result in cost to the Library, does not interfere with the performance of duties, is brief in duration and frequency, does not distract from the conduct of the Library's business, and does not compromise the security or integrity of the Library's information or software. Such limited use shall not occur on paid time, but is permitted immediately before or after work hours and during an employee's breaks. Any personal use of Library computers, Internet, telephones, and email service must comply with all applicable laws and employer policies.

There can be no expectation of privacy or assurance of confidentiality for any messages or for any use or pattern of usage of the Library's Internet, phones, or any other property. Work related and personal social media, work and personal email accounts, and work and personal text messages may be Freedom of Information Act requestable and work related content must be retained in compliance with the Local Records Act.

#### **A. MANAGEMENT AND ADMINISTRATION OF THE INTERNET AND PHONE SYSTEMS**

The library reserves the right to record the digital activities of each and every user, including but not limited to Internet site visits, chat activity, newsgroups, email messages, and file transfers into and out of the Library's internal networks. The Library reserves at all times the right to monitor such activity. No employee should have any expectation of privacy as to any Internet usage or telephone system. The Library's Executive Director and Assistant Director may analyze usage patterns and review Internet activity and voicemail messages in an effort to maintain the highest levels of productivity. The Library reserves the right to inspect any and all files stored in private areas of its network in order to assure compliance with this policy.

The system must never be used to create or access offensive or disruptive messages. The display or access of any kind of sexually explicit image or document on any Library system (other than for legitimate law enforcement purposes) is a violation of both this Internet policy and the Library's Policy Prohibiting Sexual Harassment. In addition, sexually explicit material may not be archived, stored, distributed, edited, or recorded using Library network or computing resources except for a legitimate law enforcement purpose. The Library may use independently-supplied software and data to identify inappropriate or sexually-explicit Internet sites. The Library may block access from within its networks to all such sites. If an employee inadvertently connected to a site that contains sexually explicit or offensive material, he or she must immediately disconnect from that site, regardless of whether that site has been previously

deemed acceptable by any monitoring, screening, or rating program.

The Library's Internet facilities and computing resources must not be used knowingly to violate the laws and regulations of the United States or any other nation, or the laws and regulations of any state, province, or other local jurisdiction in any material way. Use of any Library resources for illegal activity is grounds for immediate dismissal, and the Library will cooperate with any legitimate law enforcement agency in the investigation of such activity.

The safety and security of the Library's network and resources must be considered at all times when using the Internet. Employees may not download or install programs or software onto computers without prior permission from a supervisor and without the programs or software being properly scanned for viruses.

#### **B. TECHNICAL**

No employee may create or implement any password other than the password issued by the Library for voicemail, network, or Internet access, without permission of the Executive Director and/or the Assistant Director. Employees are not to share or reveal individual passwords to anyone other than a supervisor or authorized contractor.

#### **C. SECURITY**

The Library has installed a variety of firewalls, proxies, address screening programs, and other security systems to assure the safety and security of the Library's networks. Any employee who attempts to disable, defeat, or circumvent any Library security facility will be subject to discipline, including immediate termination.

Employees who misuse the Library's Internet, email, and/or telephone system may be subject to discipline up to and including termination. Employees have no expectation of privacy on any of the Library's equipment or property, including but not limited to desks, computers, Internet access, voicemail, or email.

#### **D. USE OF DEVICES WHILE DRIVING**

In compliance with the Illinois Vehicle Code, Library staff will not text, use a mobile phone without a hands-free device, or participate in videoconferencing while operating a motor vehicle during work hours. For the purpose of this policy, "motor vehicle" applies to both a personal vehicle owned by Library staff and/or a vehicle owned by the Library.

*Reviewed and Approved, 9/17/2018. Revised 2/12/2024.*

### **6.10.5 Accommodations**

#### **General Provisions**

An employee may request accommodation(s) due to their disability, religion, or other health or safety condition in compliance with the Americans with Disabilities Act of 1990 as amended, the Illinois Human Rights Act, and Title VII of the Civil Rights Act. The Library will attempt to provide reasonable accommodations for qualified individuals with disabilities; employees affected by pregnancy, childbirth, or related conditions in the workplace; and individuals who request such accommodations for their religious beliefs or practices unless such accommodations would present an undue hardship for the Library.

Reasonable accommodations apply to all covered employees and applicants, and include hiring practices, job placement, training, pay practices, promotion and demotion policies, access to benefits, and layoff and termination procedures.

Unless specified in other Library policies, the Library will observe the following policies for requesting and providing accommodation(s).

For the purposes of this policy, “reasonable accommodation” is a modification or adjustment to an employee’s job, work environment, or the way things are done during the hiring process that enables the employee to become employed, perform essential job functions, and/or enjoy the same employment benefits and privileges as similarly situated employees who do not need accommodation. “Disability” is defined as any physical or mental impairment that substantially limits a major life activity.

All information obtained by the Library concerning medical conditions or history of employees, including genetic information, is maintained in separate medical files and treated as confidential records that are disclosed only as permitted by law. Library representatives and supervisors who have knowledge of employees’ medical information are prohibited from sharing such information unless others need to be informed.

Retaliation for requesting an accommodation is prohibited.

### **Employees with Disabilities**

Employees with long- and/or short-term disabilities may request accommodations in compliance with the federal Americans with Disabilities Act of 1990 as amended and applicable state laws. Reasonable accommodations are available for the known physical or mental limitations of qualified employees with disabilities. An employee is qualified if they can perform essential job functions with or without reasonable accommodation. Examples of reasonable accommodations include, but are not limited to: making a workspace wheelchair accessible, adjusting work schedules to accommodate medical appointments, and/or providing screen reading software. The Library does not provide accommodations of a personal nature, such as eyeglasses or hearing aids.

### **Nursing Employees**

In compliance with the federal Providing Urgent Material Protections for Nursing Mothers Act (PUMP Act) and the Illinois Nursing Mothers in the Workplace Act [820 ILCS 260/], nursing employees will be provided with reasonable break times to express breast milk for up to one year after a child’s birth. Additionally, reasonable efforts will be made to provide nursing employees with a private space, that is not a toilet stall, for expressing breast milk. Breaks taken for the purpose of expressing breast milk will be paid.

### **Pregnant Employees**

In compliance with the federal Pregnant Workers Fairness Act (PWFA), the Library will provide reasonable accommodations to employees who have limitations because of pregnancy, childbirth, and/or related medical conditions. Examples of these types of accommodations include, but are not limited to: a modified work schedule, additional or longer breaks, and/or refraining from heavy lifting.

### **Religious Beliefs and Practices**

Employees may request accommodations when their religious beliefs and/or practices conflict with their job, work schedule, or with Library policies or practices on dress and appearance, or with other aspects of employment. Examples of religious accommodations include, but are not limited to: using paid or unpaid leave for religious observances, allowing dress code exceptions that do not affect safety requirements, and/or a modified work schedule.

### **Other Accommodations**

From time to time other types of accommodations may be requested for scenarios not covered by other Library policies. These accommodations will be considered on an equitable case-by-case basis.

### **Requesting Accommodations**

Employees requesting accommodations must submit a written request to the Executive Director. The written request must include the employee's name, the date of the request, the type of accommodation requested, and the employee's suggested accommodation(s). Additional information for certain requests, such as clarifying the nature of a religious conflict or requesting medical information from a medical provider, may be required.

### **Providing Accommodations**

The Executive Director will evaluate the accommodation request to determine a) if the employee is eligible for an accommodation and b) if the request is reasonable or if it would cause an undue hardship for the Library. The Executive Director and the employee may discuss alternative accommodations if needed. The Executive Director will make a decision about the request and communicate that decision to the employee. The Executive Director will immediately begin the implementation of approved accommodation(s). If the employee is denied their requested accommodation(s), or if the employee denies the modified accommodation(s), the employee may appeal the decision in compliance with the Library's grievance policy.

**Reviewed and Approved 3/20/2023.**