

YANKTON COMMUNITY LIBRARY BOARD OF TRUSTEES MEETING
Special Meeting
Wednesday, December 1, 2021, 5:30 p.m.
Virtual Meeting-GoToMeeting interface &
Yankton Community Library **Quiet Room, 515 Walnut St. Yankton, SD 57078**

AGENDA

Call to Order

Additions to the Agenda

Approval of November 10, 2021 Minutes

Public Comment Period

Discussion of Bills / Financial Report

Communications and Correspondence

Director's Report

Old Business

- **Update on Accreditation requirements**
- **Donation & Gift Policy-revised**
- **Computer & Internet Policy**
- **Privacy of Patron Records Policy**

New Business

- **Library Card Policy**
- **Display of Items Policy**
- **December regular meeting**

Other Business

Public Comment Period

Adjourn the meeting of December 1, 2021

The Yankton Community Library is committed to making its facilities accessible to everyone.
If you have additional accommodation requirements, please call 668-5276.

**MINUTES OF THE BOARD OF TRUSTEES MEETING
YANKTON COMMUNITY LIBRARY
Wednesday, November 10, 2021, 5:30 p.m.
Virtual Meeting-GoToMeeting interface and physical location in the Meeting Room**

Meeting called to order by President Sarah Mechtenberg at 5:30 p.m. Present were Sue Otterman, Christine Tielke, Jean Huff, David Koerner and Library Director Dana Schmidt. Yankton County Commissioner Dan Klimisch joined the meeting remotely.

Absent with regrets: Yankton City Commissioner, Jerry Webber and Assistant Library Director Linda Dobrovolny

Approval of October 13, 2021 Minutes: Koerner made a motion to approve the October 13, 2021 minutes with a second by Huff. Unanimous approval.

Public comment Period: None

Discussion of Bills / Financial Report: Schmidt reported that the library had received the second half of the County's contribution for 2021 but that it was not reflected in the financial reports until next month. Tielke made a motion to accept the financial report with a second by Otterman. Unanimous approval.

Communications and Correspondence: Schmidt shared a thank you card from author Cindy Wilson who presented at the library in October.

Director's Report: In addition to the written report, Schmidt reported that the new staff member was doing well and commended the staff on their great flexibility while being short staffed. Schmidt reported the library was celebrating Di-November with a number of activities, include a dinosaur scavenger hunt around the library which has been very popular. The library's most recent adult craft night was creating holiday cards using Canva software. We received positive comments about the unique event and mixing crafting and technology together.

Old Business:

- **Marketing Plan:** Updated version included in packet as approved at last meeting.
- **Update on Accreditation requirements:** Schmidt is working on making sure YCL has completed all the requirements and gathering all the necessary paperwork. She has contacted the State Library to confirm that all of the Board training hours are approved and waiting to hear if that requirement is fulfilled. Accreditation submission is due December 3.
- **Agreement for the provision of library services:** The agreement has been approved by both the County and City Commission and will be in effect for 2022.

New Business:

- **2022 Calendar:** Koerner made a motion to approve the calendar for Yankton Community Library closure days in 2022 with a second by Tielke. Unanimous approval.
- **Donation and Gift Policy:** Tielke made a motion to approve the donation and gift policy with corrections with a second by Huff. Unanimous approval.

- **Personnel Policy:** The personnel policy was reviewed. No changes.
- **Computer and Internet Policy:** Policy was reviewed with suggested changes. Board will wait to vote until we have gotten feedback from IT department and City Attorney.
- **Privacy of Patron Records Policy:** Policy was reviewed with suggested changes. Board will wait to vote until we have gotten feedback from the City Attorney.
- **December Meeting:** The Board will hold a special meeting on Wednesday, December 1 to review any final documents needed for the accreditation process.

Other Business: Schmidt asked the Board how they would like to conduct her Director's review. Feedback will be gathered from Board members by Mechtenberg. She will share the information with the City Manager and join Schmidt's review. Mechtenberg will report back to the Board.

Public Comment Period: None.

Adjourn the meeting of November 10, 2021: Huff made a motion to adjourn the meeting at 6:30 pm with a second by Tielke. Unanimous approval.

Yankton Community Library • January 2022

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
515 Walnut Street—605-668-5275 http://library.cityofyankton.org library@cityofyankton.org Fall/Winter Hours Mon-Thurs: 9a-8p; Fri-Sat: 9a-5p; Sun: 1-5p						1 New Year's Day Library Closed
2	3	4 Story Time 10:30 am & 6 pm	5	6 Story Time 10:30 am Friends of YCL Book Sale 9a -12p (members only) 12p-5p (open to all)	7 Friends of YCL Book Sale 9:00 am—5:00 pm	8 Friends of YCL Book Sale 9:00 am—5:00 pm
9 Friends of YCL Book Sale (Bag Sale) 1:00 pm—5:00 pm	10 Adulting 101: Health & Nutrition With Coach Rozy	11 Story Time 10:30 am & 6 pm	12 Library Board Meeting 5:30 pm	13 Story Time 10:30 am	14 Teen After Hours Event 5:00— 7:00 pm	15
16	17 Martin Luther King Jr. Day Library Closed	18 Story Time 10:30 am.& 6 pm	19	20 Story Time 10:30 am Adult Craft Night: String Art 6:30 pm	21	22 Estate Planning 101 with Sheila Woodward 2:00 pm
23 Hygge 2:00—4:00 pm 30	24 31	25 Story Time 10:30 am & 6 pm	26	27 Story Time 10:30 am	28	29 Food for Fines: Canned Fruit Snow Date for Es- tate Planning 101

Gift & Donation Policy

Yankton Community Library welcomes materials in good condition offered as gifts. All gifts are evaluated in the same manner as new materials for inclusion in the collection under our Collection Development policy and, as such, may be accepted into the collection, donated to the Friend of the Yankton Community Library or discarded. Gift plates are not placed in used items. The library will not provide donors with an itemized list of donated materials or provide an appraisal of the items.

The Friends of the Yankton Community Library will accept donations of gently used items, including books, DVDs, CDs, Audiobooks, Puzzles and other suitable library materials. Donated items may be sold, discarded or donated to another organization. Proceeds from the Friends' book sales are used to further enhance the library's collection, programming and equipment. The Friends will not accept encyclopedia sets, textbooks with a copyright date older than ten years, or items that they consider to be in poor physical condition.

Donation receipts for tax purposes are available upon request. The donor will estimate the value and assign it to the receipt.

Monetary donations are always welcome to fund the Summer Reading Program, special programs and equipment. Monetary donations in memory of loved ones are also accepted. Book plates may be requested to be placed in materials purchased with these donations.

Computer and Internet Use Policy

Yankton Community Library offers computers with Internet access and open unsecured WiFi for public usage. The Internet is an unregulated global information resource. As such, users are cautioned that information and images can be encountered which may be considered controversial and/or offensive. The provision of access does not mean or imply that the library sanctions or endorses the content users encounter. **Except to the extent inconsistent with the terms of this policy,** Yankton Community Library endorses the American Library Associations' Access to Digital Information, Services and Networks (see attached).

Parents and legal guardians are responsible for the information accessed by their children. Parents and legal guardians are advised to provide guidance and to supervise their children's use of the Internet.

Yankton Community Library:

- Cannot guarantee confidentiality over the Internet and users who enter personal information do so at their own risk
- Is not responsible for work or information lost due to computer or system malfunctions
- Is not responsible for misplaced or stolen equipment
- Disclaims any liability or responsibility arising from access to, or use of, information obtained through the Internet, or any consequences thereof
- Is not responsible for controlling children's Internet use

Library Rules for Internet Use

The Library expects patrons to use the Internet in a responsible manner respecting the rights of others and following the Library's rules of behavior. The Internet computers are located in public areas and are used by library patrons of all ages, backgrounds, sensitivities and values. Yankton Community Library does not condone the use of library equipment to access obscene material.

Users may not engage in actions that will, but are not limited to:

- Destroy, alter, prevent or interfere with the configuration of the Library computers
- Violate copyright or software license agreements
- Invade or violate other individuals' privacy
- Sending, receiving, printing or displaying text or graphics that may reasonably be construed as obscene or threatening
- Engage in activity that is deliberately offensive or creates an intimidating or hostile environment
- Be for any illegal, unethical, or criminal purposes

Noncompliance with this policy will result in revocation of computer privileges and/or Library use privileges at the discretion of the Library Director or the Library Director's designee without right of appeal. Illegal use may be subject to prosecution. ~~All patrons have the right to a grievance/hearing in front of the YCL Board of Trustees at a regularly scheduled Board meeting.~~

Staff Assistance and Miscellaneous Information

- Library staff is available to provide limited assistance (15 minutes) to help users get signed in, find specific websites, limited assistance with applications, helping with the scanner or printer and various other tasks, but cannot provide extended aid.

- Software will warn users 15 minutes before the library closing time. Computers will automatically shut down 10 minutes prior to the library's closing time.

Access to Digital Resources and Services: An Interpretation of the Library Bill of Rights

The fundamental mission of libraries is to provide access to information, regardless of content or format, to everyone. Digital resources and services, or resources and services made primarily available online or on digital devices, are integral to libraries' mission in the twenty-first century. Libraries are important points of access to many digital resources and services, including, but not limited to, computers, the Internet, and digital resources and tools. In order to provide access to digital resources and services while upholding the *Library Bill of Rights*, libraries must consider intellectual freedom principles and issues of equity to ensure that access to information is enhanced, not restricted, by digital technology.

Libraries should regularly review issues arising from digital creation, distribution, retrieval, and archiving of information. Any review of these issues should consider users' First Amendment rights, rights to privacy, and the core values of librarianship as expressed in the *Library Bill of Rights* and the *Code of Ethics of the American Library Association*. Many people lack access or the capability to use or create digital resources effectively. There is a need for places where people can access, use, or create information without impediment. It is the responsibility of libraries to provide access to digital resources and services and to mitigate all barriers, whether they are economic, educational, or political. The provision of access does not imply sponsorship or endorsement by the library. Libraries should resist all attempts by individuals, governments, and private entities to censor or limit access to digital resources or services.

In making decisions about how to offer access to digital resources, services, tools, physical equipment, and networks, each library should consider intellectual freedom principles and issues of equity in the context of its mission, goals, objectives, cooperative agreements, and the needs of the entire community it serves.

The Rights of Users

All library policies, procedures, or regulations relating to digital resources and services should be scrutinized for potential violations of user rights. User policies should be developed according to the policies and guidelines established by the American Library Association.¹

Users' access to digital resources and services should not be restricted or denied for expressing, receiving, creating, or participating in constitutionally protected speech. If access is restricted or denied for behavioral or other reasons, users should be provided due process, including, but not limited to, formal notice and a means of appeal.

Information retrieved, utilized, or created digitally is constitutionally protected unless determined otherwise by a court of competent jurisdiction. These rights extend to minors as well as adults.² Libraries should use technology to enhance, not deny, digital access. Users have the right to be free of unreasonable limitations or conditions set by libraries, librarians, system administrators, vendors, network service providers, or others. Contracts, agreements, and licenses entered into by libraries on behalf of their users should not violate this right. Libraries should provide library users the training and assistance necessary to find, evaluate, use, and create information effectively.

All people, regardless of origin, age, background, or views, possess a right to privacy and confidentiality in their library use.³ The library should uphold these rights by policy, procedure, and practice in accordance with Article VII of the *Library Bill of Rights*. The library should regularly maintain its systems and networks in order to protect users' rights to privacy and confidentiality. As libraries increasingly provide access to digital resources through third-party vendors, libraries have a responsibility to hold vendors accountable for protecting patrons' privacy.

Equity of Access

The digital environment provides expanding opportunities for everyone to participate in the information society, but individuals may face serious barriers to access. These barriers, often referred to as the digital divide, may include a lack of infrastructure for Internet connectivity, lack of tools (hardware or software), and lack of skills, knowledge, or means necessary to access digital

resources.⁴ Libraries should be cognizant of the digital divide and work to minimize it as they provide access to digital resources for their communities.

Digital resources, services, training, and networks provided directly or indirectly by the library should be readily and equitably accessible to all library users. American Library Association policies oppose the charging of user fees for the provision of information services by libraries that receive support from public funds.⁵ Libraries should develop policies concerning access to digital resources. These policies should be consistent with ALA's policies and guidelines. When new digital resources are provided to library users, libraries have an obligation to provide equitable training opportunities to library users and workers in using those new resources. Training should also address privacy and security issues that accompany the use of digital resources and services.

Information Resources and Access

Libraries, acting within their mission and objectives, should support access to information on all subjects that serve the needs or interests of each user, regardless of the user's age or the content of the material. In order to preserve the cultural record and to prevent the loss of information, libraries may need to expand their selection or collection-development policies to ensure preservation, in appropriate formats, of information obtained digitally. Libraries have an obligation to provide access to government information available in digital format.

Providing connections to global information, services, and networks is not the same as selecting and purchasing materials for a library collection. Some information accessed digitally may not meet a library's selection or collection-development policy. It is, therefore, left to each user to determine what is appropriate. Libraries and library workers should not deny or limit access to digital resources because of their allegedly controversial content or because of a library worker's personal beliefs or fear of confrontation. Furthermore, libraries and library workers should not deny access to digital resources solely on the grounds that they are perceived to lack value. Parents and legal guardians who are concerned about their children's use of digital resources should provide guidance to their own children.

Publicly funded libraries have a legal obligation to provide access to constitutionally protected information. Federal, state, county, municipal, local, or library governing bodies sometimes require the use of Internet filters or other technological measures that block access to constitutionally protected information, contrary to the *Library Bill of Rights*.⁶ If a library uses a technological measure that blocks access to information, it should be set at the least restrictive level in order to minimize the blocking of constitutionally protected speech.

Adults retain the right to access all constitutionally protected information and to ask for the technological measure to be disabled in a timely and confidential manner. Minors also retain the right to access constitutionally protected information and, at a minimum, have the right to ask the library or librarian to provide access to erroneously blocked information in a timely and confidential manner. In order to ensure user privacy and confidentiality, records of these requests should not contain personally identifiable information. Libraries and librarians have an obligation to inform users of these rights and to provide the means to exercise these rights.⁷

Digital resources and services allow libraries to significantly expand the scope of information available to users. Like all resources and services provided by the library, provision of access to digital resources and services should follow the principles outlined in the *Library Bill of Rights* to ensure equitable access regardless of content or platform.

¹ "[Guidelines for Library Policies](#)," approved June 28, 1994 by the ALA Intellectual Freedom Committee; revised January 19, 2005; March 29, 2014 *under previous name* "Guidelines for the Development and Implementation of Policies, Regulations and Procedures Affecting Access to Library Materials, Services and Facilities"; June 24, 2019.

²*Tinker v. Des Moines Independent Community School District*, 393 U.S. 503 (1969); *Board of Education, Island Trees Union Free School District No. 26 v. Pico*, 457 U.S. 853, (1982); *American Amusement Machine Association v. Teri Kendrick*, 244 F.3d 954 (7th Cir. 2001); *cert.denied*, 534 U.S. 994 (2001).

³ "[Privacy: An Interpretation of the Library Bill of Rights](#)," adopted June 19, 2002, by the ALA Council; amended on July 1, 2014; June 24, 2019.

⁴ Martin Hilbert, "The End Justifies the Definition: The Manifold Outlooks on the Digital Divide and Their Practical Usefulness for Policy-Making," *Telecommunications Policy* 35, no. 8 (2011): 715-736. <https://doi.org/10.1016/j.telpol.2011.06.012>

⁵ "[Economic Barriers to Information Access: An Interpretation of the *Library Bill of Rights*](#)," adopted June 30, 1993, by the ALA Council and amended June 25, 2019.

⁶ "[Internet Filtering: An Interpretation of the *Library Bill of Rights*](#)," adopted June 30, 2015, by the ALA Council.

⁷ "If some libraries do not have the capacity to unblock specific Web sites or to disable the filter or if it is shown that an adult user's election to view constitutionally protected Internet material is burdened in some other substantial way, that would be the subject for an as-applied challenge, not the facial challenge made in this case." *United States, et al. v. American Library Association*, 539 U.S. 194 (2003) (Justice Kennedy, concurring).

Adopted January 24, 1996 by the ALA Council; amended January 19, 2005; July 15, 2009 *under previous name* "Access to Digital Information, Services, and Networks"; and June 25, 2019.

References to cited policies have been updated on November 6, 2018.

Privacy of Patron Records Policy

Under the U.S. Privacy Act and the Library Bill of Rights, endorsed by the Yankton Community Library Board of Trustees, U.S. citizens, regardless of age are protected from violations of privacy including all library records, registration information, current and past circulation histories and ~~online sites and resources accessed.~~ ~~overdue history.~~ This Act applies to all adult card holders 14 years and older.

As specified in South Dakota Codified Law 14-2-51:

All public library records containing personally identifiable information are confidential. Any information contained in public library records may not be released except by court order or upon request of a parent of a child who is under eighteen years of age. As used in this section, "personally identifiable" means any information a library maintains that would identify a patron. Acts by library officers or employees in maintaining a check out system are not violations of this section.

Patron information will not be divulged to any other person, organization, or government agency including the courts, without a subpoena, unless the cardholder has listed that person as an authorized user. ~~This includes husbands, wives, other family relatives, and friends.~~ In the event that any library employee is served with a court order to provide information prohibited by this policy, that employee shall immediately inform the Library Director who shall in turn consult with the Board of Trustees and may seek legal advice before complying with the order.

Fine totals can be given to family members **upon request** if the library staff feel that the intent is to pay those fines for that individual.

To a degree, child cardholders are exempt from this Act because of the contractual nature of the library card and the fact that a parent/legal guardian must sign for child's card, agreeing to pay any fines, fees, loss and damages to library materials. Overdues, ~~fines,~~ and lost/damaged **fine** information for child cardholders will be given to the parent/legal guardian by Library staff on only two occasions:

1. if that information relates to the payment of **lost/damaged** fines, ~~fees, etc.~~
2. if a parent/legal guardian wants to see what that child has currently checked out for purposes of satisfying their parental responsibility.

Library Card Policy

The Yankton Community Library is a free library, open to ~~any and~~ all patrons for in-house use. ~~Because it is funded by property taxes,~~ all persons applying for a library card must provide a photo ID and address verification. A post office box number is not sufficient. ~~Owners of business property~~ Business owners must be able to provide ~~an address for that business.~~ Additionally, they ~~may be asked to provide~~ a current year property tax bill, lease/rental agreement, or other ~~papers proof~~ showing business ownership/property tax payment.

Types of Valid Library Cards

Any patron possessing a valid YCL card can check out materials ~~from the Library.~~ A "valid" card refers to any card that does not have fines/ fees ~~equaling the exceeding \$5 limit~~ and is not expired ~~according to its renewal date.~~ YCL has the following types of cards:

1) Resident Library Card (Adult/High School Student/Child)

These patrons live or own property within the city limits of Yankton. These cards are issued to individuals. A child card is for children ages birth through ~~middle school age 14~~ with a parent/guardian signature. ~~High school students~~ Individuals over 14 can get a ~~student~~ library card without parental permission/ signature. All ~~resident cards are free of charge and need to be renewed annually.~~ ~~have an annual renewal.~~

2) County Library Card (out of City limits but within Yankton County)

The Yankton County Commission has contracted with the City for library services. This agreement defines a county resident as a "person or persons owning residential or business property within Yankton County or, through rent or lease, paying property taxes to the County and County youth, high school freshmen through seniors....The property owners (residing within the county or not) as well as the renter/lessee have the same right to obtain a card." The library defines a household as a "related family or other persons living in the same household." The head of the household or a County youth must fill out a county registration, which includes all members of the household wishing to receive library services. All County cards expire one year from the application date and must be renewed annually in order to be valid. The ~~required fee charge is \$5 annually~~ per household ~~is reflected in the current Agreement for the Provision of Library Services with Yankton County.~~ Fees for a County card may be paid in 1 year, 6 month or 3 month increments. ~~and~~ each member of the household may receive a physical card.

3) Nonresident Library Card (outside Yankton County)

The same definition of a household as in #2 applies here. This type of card is given to people with permanent addresses outside Yankton County and is not limited to any geographical area. The card may be purchased in 3, 6, or 12 month increments with the following pricing: \$40 for 12 months; \$20 for 6 months; or \$10 for 3 months. Each member of the household may receive a physical card.

4) Mount Marty ~~College University~~ cards: ~~All cards are kept at the library and every student must show their student I.D. upon check-out.~~ Cards expire at the end of every semester and must be

renewed every semester in order to be valid. ~~These Mount Marty University~~ cards are free of charge.

5) Teacher card: ~~This card~~ Teacher cards can only be used for school/curriculum materials checkout. Fines do not accrue. There are four types of teacher cards:

- Any member of the Yankton School District
- Teachers who live in Yankton but teach outside the library service area
- Teachers residing outside and teaching outside the library service area
- Families who homeschool their children.

6) Daycare card: ~~This card has the same privileges as a teacher card.~~ Daycare cards can only be used to check out materials for daycare usage. Fines do not accrue.

7) Other library cards with special privileges or restrictions may be issued at the discretion of the Library Director.

Lost Cards and Card Renewals

Patrons having lost/stolen/misplaced cards can purchase a new card for \$1.00. ~~If they find their old card, they should bring it into the library or destroy it themselves.~~ Reimbursement will not be given for found library cards once a new card has been issued.

Privacy and Library Cards

Pursuant to the American Library Association Code of Ethics, “we protect each library user's right to privacy and confidentiality with respect to information sought or received and resources consulted, borrowed, acquired or transmitted.” Therefore, we will only release information about items checked out, titles on reserve, past history, etc. to the named cardholder. If a cardholder would like this information to be shared with family members, friends, etc. they must list the person(s) with the library as authorized users. Additionally, the issuance of a library card is of an individual contractual nature that is normally not transferable to other parties. This means that the library cardholder is the only person who can use that card. If the cardholder wishes to let others check out using their library card, they must be in possession of the physical card or be listed on the account as an authorized user. The named cardholder is wholly responsible for items checked out by any authorized users. Staff has the right, at any time, to not permit an individual to check out on another person's card and to confiscate that card if misuse of library materials or theft of the card is suspected, or a knowing violation of the Privacy Act is occurring.

Limitation or Denial of Service

The use of the library may be limited or denied for due cause such as failure to return ~~books materials~~ or pay fines, destruction of library property, or objectionable or disruptive conduct in the library.

Display of Items Policy

Temporary Exhibits, Storage of Materials and Display of Awards

The Library maintains several exhibit cases and areas and, on a regular basis, solicits artwork, collector's items, and other artifacts of cultural and artistic merit for temporary display at the library so that patrons can enjoy them. Unless special provisions are made with the Board of Trustees in advance, any item displayed is **not** covered by the Library fire/hazard/liability insurance and should be covered by the owner's personal insurance. People displaying items in the library must complete the Agreement for Display Items form. The Library will only be responsible for damage/loss/theft of these items in-so-much as the law of negligible damages applies to that specific situation.

Storage of Materials and Display of Awards:

Except for temporary exhibit purposes, the library will not accept storage responsibility for materials or objects owned or controlled by groups or individuals.

Agreement for Display Items

The Yankton Community Library appreciates your generosity to the community by allowing the following items to be displayed in the Library from (date) _____ to (date) _____.

DESCRIPTION/TITLES

\$ VALUE

The library will exercise as much care as possible to insure the safety of your collection; however, we also expect that you have the items covered by your personal insurance. The library is not liable for any damages due to on-site mutilation, theft, or loss except in circumstances of gross negligence or misconduct by staff.

Signature of Owner/Responsible Party

Date

Signature of Library Staff Member

Date

(Copies in Duplicate: 1. Owner 2. Library 3. Finance Office)