

SCOTT COUNTY LIBRARY SYSTEM

Board motion: 20030512/ 20101118

revised: November 2010

ASSUMED LOST (unreturned) AND DAMAGED MATERIALS

INTRODUCTION

2010 Minnesota Statutes 609.541 PROTECTION OF LIBRARY PROPERTY.

Subdivision 1. **Damage to library materials.**

A person who intentionally, and without permission from library personnel damages any books, maps, pictures, manuscripts, films, or other property of any public library... is guilty of a petty misdemeanor.

Subd. 2. **Removal of library property.**

A person who intentionally, and without permission from library personnel removes any books, maps, pictures, manuscripts, films, or other property of any public library... is guilty of a misdemeanor.

Subd. 3. **Detention of library materials.**

A person who detains a book, periodical, pamphlet, film, or other property belonging to any public library, ..., for more than 60 days after notice in writing to return it, given after the expiration of the library's stated loan period for the material, is guilty of a petty misdemeanor...

ASSUMED LOST MATERIALS

Material is considered ***assumed lost*** when the customer tells us that it is lost, or when the material has not been returned within six to eight weeks of the date due. Staff should encourage customers to look for the unreturned items before claiming they are lost, and before paying for non-refundable charges.

1. Customers will be sent at least one courtesy reminder to return material(s).
2. A bill will be sent approximately 6-8 weeks after the date due.
3. If a customer claims that the item has been returned already, library staff should discuss the circumstances with the customer, and mark the item as "claims returned" if warranted. Library Associates may refer the decision to the senior staff working in the branch.
4. The Library System does not issue a refund if the item is found after the fee has been paid. The customer may keep the item.

DAMAGED MATERIALS

Library materials are considered ***damaged*** when the item is in such poor condition that it should not be returned to the shelf. There are very few exceptions, and these are listed in the Weeding Guidelines.

1. Damage that is obviously the result of misuse or neglect will be charged to the customer. Examples include, but are not limited to, evidence of chewing or other physical damage, evidence that liquids or food have been spilled on the item, an item that is damp, an item that has been defaced, an item with pages cut out or torn out, etc.

For AV materials examples include an item that has been melted, severely scratched, smashed, the tape pulled out, etc.

- a. Torn spines and bindings, bindings that are loose or falling apart, small tears to a couple of pages, and similar damage are usually the result of normal wear and tear and should not be charged to the customer. Branches should make minor repairs at their location as appropriate. (see Repair Procedures)
 - b. Most damage (i.e. skipping words, tracking problems, sprockets missing, etc.) to video tapes, DVDs, compact discs and audiotapes is considered normal wear and tear and should not be charged to the customer.
2. If the customer states that the item was damaged before (s)he checked it out, library staff may choose not to charge the customer. Library Associates may refer the decision to the senior staff working in the branch.
 3. The customer may keep the damaged item after the fee has been paid, and the item has been processed.

FEES FOR ASSUMED LOST AND DAMAGED MATERIALS

A fee is charged to a customer who has not returned an item, or who has returned an obviously damaged item.

1. The fee for assumed lost or for damaged materials is found in the fee policy for the current year
2. The Library System does not assess charges for part of an item (e.g. ten damaged pages in a book).
 - a. Exception: Some vendors (e.g. Recorded Books, Books on Tape) **may** allow us to purchase individual tapes or CDs for multi-part items, if they have them on hand. The customer will be notified as soon as possible of the final fee for the item.
3. The Library System does not accept a replacement copy for an unreturned or a damaged item.
4. A \$5.00 processing fee will be assessed on all unreturned or damaged items. The processing fee represents **partial** cost recovery for staff time, materials, and any extended use fees that may have been waived.
5. Customers will be billed for Interlibrary Loan (ILL) materials based on the invoice submitted by the lending library.