Cedar Falls Public Library

Art Collection Policy

Works of art may be either purchased by or donated to the Library. Final responsibility for acceptance of a work of art resides with the Board of Library Trustees. The Library particularly collects art created by local artists, but may collect works outside that scope. The intent of this collection is to enhance the library's aesthetic environment.

Items given to the library will be presented to the Board of Trustees for final acceptance upon recommendation of the art committee. Items given to the library for Board consideration which have not yet been accepted are not covered by the City's insurance policy, and must be covered by the donor's personal insurance. If the Board decides not to accept an item, the owner will be notified as soon as possible and may reclaim the item within two weeks. After two weeks, the library has the right to dispose of the work in the best interest of the library.

Items that are accepted by the Board are considered unconditional and outright gifts. These are to be displayed, accessed, housed, loaned, retained, reproduced, sold, donated to a public organization, or disposed in the best interest of the Library. Donors will be asked to read and sign a copy of the library's "Deed of Gift." Gifts to the Library may be deductible from taxable income in accordance with the provisions of the federal income tax rules, and in compliance with this law the appraisal is the responsibility of the donor.

Art created by library employees and their families will not be accepted for display or for the permanent collection. However, the Board reserves the right to commission or request works of art by any artist.

Works of art on display in the library are not for sale.

The Board of Library Trustees will be responsible for any decisions regarding the removal of a work of art upon recommendation from the Art Committee. Any art withdrawn from the collection may be donated to an appropriate public organization or sold at public auction, or otherwise disposed of in the best interest of the Library. The proceeds from the sale of a work of art will go the Cedar Falls Public Library's Investment Funds account and will be reserved to be used for future collection-related purposes such as to repair and / or conserve works in the collection, or acquire additional works for the collection, at the discretion of the Board of Library Trustees.

DEED OF GIFT
(Single Donor)

The undersigned, _____ (hereinafter the "Donor"), of _____ (address of Donor), does hereby irrevocably and unconditionally give, transfer and assign to the Board of Trustees of the Cedar Falls Public Library, Cedar Falls, Iowa, all the Donor's right, title and interest in and to the following described property (hereinafter the "Property"), which is described as follows:

This deed of gift does not include any transfer or assignment of the copyright, or any other intellectual property rights of Donor, in the above-described property.

The undersigned Donor acknowledges that this gift is an irrevocable and unconditional gift, and accepts the foregoing conditions, and acknowledges having read the Cedar Falls Public Library Art Collection Policy. The undersigned Donor also understands that the gift may or may not be on display at any given time, in the discretion of the Library.

Due to IRS rules, the undersigned Donor acknowledges full responsibility to obtain any appraisal to determine the value of the Property, and that such appraisal is at the sole cost of the Donor.

This gift is given in memory of _____.

Dated this _____ day of _____, 20_____.

_____
Donor

STATE OF _____)
) ss.
COUNTY OF _____)

This instrument was acknowledged before me on _____, 20____, by _____, the Donor.

_____
Notary Public in and for said State

My Commission Expires:

_____

ACCEPTANCE OF DEED OF GIFT

The above and foregoing Deed of Gift is hereby accepted by and on behalf of the Board of Trustees of the Cedar Falls Public Library.

Dated this _____ day of _____, 20____.

BOARD OF TRUSTEES OF THE
CEDAR FALLS PUBLIC LIBRARY

By_____
_____(name)
_____(title)

DEED OF GIFT
(Two Donors)

The undersigned, _____and _____ (hereinafter the "Donors"), of _____ (address of Donors), do hereby irrevocably and unconditionally give, transfer and assign to the Board of Trustees of the Cedar Falls Public Library, Cedar Falls, Iowa, all the Donors' right, title and interest in and to the following described property (hereinafter the "Property"), which is described as follows:

The deed of gift does not include any transfer or assignment of the copyright, or any other intellectual property rights of Donor, in the above-described property.

The undersigned Donors acknowledge that this gift is an irrevocable and unconditional gift, and accept the foregoing conditions, and acknowledge having read the Cedar Falls Public Library Art Collection Policy. The undersigned donors also understand that the gift may or may not be on display at any given time, in the discretion of the library.

Due to IRS rules, the undersigned Donors acknowledge full responsibility to obtain any appraisal to determine the value of the Property, and that such appraisal is at the sole cost of the Donors.

This gift is given in memory of _____.

Dated this _____ day of _____, 20_____.

_____
Donor

_____
Donor

STATE OF _____)
) ss.
COUNTY OF _____)

This instrument was acknowledged before me on _____, 20____, by _____ and _____, the Donors.

_____
Notary Public in and for said State

My Commission Expires:

_____

ACCEPTANCE OF DEED OF GIFT

The above and foregoing Deed of Gift is hereby accepted by and on behalf of the Board of Trustees of the Cedar Falls Public Library.

Dated this _____ day of _____, 20____.

BOARD OF TRUSTEES OF THE
CEDAR FALLS PUBLIC LIBRARY

By_____
_____(name)
_____(title)

BOARD OF TRUSTEES
CEDAR FALLS PUBLIC LIBRARY
BY-LAWS

ARTICLE I. Name

The Board of Trustees of the Cedar Falls Public Library is the legally appointed, policy-making body governing the operation of the Library as representatives of the Cedar Falls Community.

ARTICLE II. Powers and Duties

Section 1. The Code of Iowa, 392.5, provides for the City to adopt ordinances necessary for the appointment of a City Library Board of Trustees.

Section 2. The powers and duties of the Library Board of Trustees are set out and defined in the Cedar Falls City Code, Division 8, Section 2-298 to 2-306, Ordinance No. 1464, (5-24-75).

ARTICLE III. Mission

The mission of the Cedar Falls Public Library is to promote literacy and to provide open access to resources which facilitate lifelong learning.

ARTICLE IV. Officers

Section 1. The officers shall be a President, Vice-President, and Secretary who shall be elected at the June meeting, with the office becoming effective the following July 1.

Section 2. The President shall preside at all meetings of the Board, authorize calls for any special meetings, be responsible for the initiation of the agenda of meetings, appoint all committees, execute all documents authorized by the Board including warrants for bills, serve as an ex officio member of all committees, be the spokesperson for the Board, and generally perform all duties associated with that office.

Section 3. The Vice-President, in the event of the absence or disability of the President, or of a vacancy in that office, shall assume and perform the duties and functions of the President.

Section 4. The Secretary shall be responsible for a true and accurate record of all the meetings of the Board, shall sign warrants for bills, and shall perform such other duties as are generally associated with that office.

ARTICLE V. Meetings

Section 1. Regular meetings shall be held each month, the date and hour to be set by the Board at its July meeting.

Section 2. Special meetings may be called by the President, the Secretary at the direction of the President, or at the request of five members, for the transaction of business as stated in the call for the meeting. Such meetings shall follow all requirements of a regular meeting.

Section 3. A quorum for the transaction of business at any meeting of the Board shall consist of a majority of the confirmed Board members.

Section 4. Unless otherwise specified by law, motions may be passed by simple majority of those present.

Section 5. Proceedings of all meetings shall be governed by Robert's Rules of Order.

ARTICLE VI. Committees

Section 1. Strategic Planning shall be conducted by the Board as a whole, and the Board shall meet as needed, in addition to the regularly scheduled Board meetings. The purpose of Strategic Planning shall be to ensure that the mission and goals of the library are focused on meeting community needs.

Section 2. Committees shall be appointed as needed (see President duties). Committees shall make recommendations to the Board for action, but shall not take action themselves except as designated by the Board.

Section 3. One Board member shall serve as liaison with Friends of the Library.

Section 4. Personnel Committee
The Personnel Committee is comprised of three Board members appointed by the President of the Board. The Chair is selected by the Committee, subject to Board approval. The purpose of the Committee is to:

A. Conduct the annual performance appraisal of the Director, and
B. Receive and forward to the Board recommendations regarding the contracts, classification, and compensation of the Library Director and other

employees holding special appointments. The Committee may also receive and make recommendations on other personnel matters referred to the Committee by the Board.

Section 5. Finance Committee
The Finance Committee is comprised of four Board members appointed by the President of the Board. The current Board President, the immediate Past Board President, the Vice-President, and another member chosen by the Board President comprise this Committee. The Chair is selected by the Committee, subject to Board approval. The Committee shall meet as necessary. The purpose of the committee is to:

A. Recommend to the Board as a whole policies and actions related to financial matters.
B. Review and provide recommendations to the Board for the annual budget as proposed by the City and Library Director.

Section 6. All Board members may observe the meetings of any committee.

ARTICLE VII. General

Section 1. The bylaws may be amended by the majority vote of all members of the Board provided written notice of the proposed amendment shall have been mailed to all members at least ten days prior to the meeting at which such action is proposed to be taken.

Section 2. Any procedural rule or resolution of the Board, whether contained in these bylaws or otherwise, may be suspended temporarily in connection with business at hand, but such suspension, to be valid, may be taken only at a meeting at which two-thirds of the members of the Board shall be present and two-thirds of those present shall so approve.

Approved as amended 10/13/10

CEDAR FALLS PUBLIC LIBRARY
Circulation Policy

Check-out period for library materials is calculated on calendar days.

Books, books on CD, Playaways, music CDs, magazines: 3 weeks with 3 weeks renewal.

DVDs: 1 week with 1 week renewal.

Express Books: 1 week with no renewal and may not be reserved.

Express DVDs: 3 days with no renewal and may not be reserved.

Video Games: 1 week with one week renewal.

Materials may be renewed one time in person, over the telephone, or on-line unless the material is reserved for another person.

With the exception of video materials, there is no general limit to the number of materials that can be checked out. DVDs are limited to 10 per patron; Playaway Views are limited to 5 per patron. Video Games are limited to 3 per patron. At staff discretion, limits may apply to seasonal materials.

Materials can be reserved in person, over the telephone, or on-line. Reserved items will be held for the patron for 3 days.

Approved by Library Board of Trustees as revised: 4/4/12
Previously revised: 1/4/12, 4/6/11

<u>Addendum to Circulation Policy</u> approved 4/7/10:

Laptops are to be used in the library only. They cannot be removed from the library building.

Borrowers must have a Cedar Falls Public Library adult library card. Laptops are checked out to the cardholder, and become the responsibility of the borrower.

Laptops are checked out for four hours per day, and are not renewable. Overdue fines are $5.00 per hour.

The Library's Public Access Computer Policy applies to all laptop usage.

CEDAR FALLS PUBLIC LIBRARY
Collection Development Policy
(Materials Selection)

Purpose of policy: This policy sets broad guidelines for the selection of library materials that correspond to the library's mission and identified roles. It may also be used to inform the public and staff about the principles upon which selections are made.

1. Definitions

A. Selection refers to the decision to add, retain, or withdraw materials in the library's collection.
B. Library materials include all items in the library's collection regardless of format.
C. Access is the availability of materials in a variety of formats for users of all ages and abilities.

2. Goal of Materials Selection

The goal of selection is to provide collections within the library's legal service area that meet the informational, educational and recreational needs of the customers.

3. Responsibility for Selection

A. Selection of all materials shall be the responsibility of the Library Director who operates within the framework of policies determined by the Library Board of Trustees. A staff of librarians with professional education and training assists the Director in the principles and practices of materials selection.
B. Both the general public and staff members may recommend materials for consideration.

4. Criteria for Selection

A. The Library supports intellectual freedom and has adopted the following statements as policy: ALA Freedom to Read Statement*, and the ALA Library Bill of Rights*.
B. Each type of material must be considered in terms of its own merit and the audience for whom it is intended. No single standard can be applied in all cases. Some materials may be judged primarily in terms of artistic merit, scholarship, or value to humanity; others are selected to satisfy the informational, recreational, or educational interests of the community.
C. All librarians have a professional responsibility to be inclusive, not exclusive, in developing collections. Efforts will be made to provide materials representing all viewpoints.
D. Reviews in professionally recognized resources are a primary source for materials selection. Standard bibliographies, book lists by recognized

authorities, and the advice of people competent in specific subject areas will also be used.

E. The library keeps its collections vital and useful by retaining or replacing essential materials and by removing on a systematic and continuous basis/schedule those works that are worn, outdated, of little historical significance, or no longer in demand.

5. Gifts

A. Gifts shall meet the same selection criteria as purchased materials. The library retains unconditional ownership of all donations and makes the final decision on acceptance, use, or disposition. The appraisal of the gift for tax purposes is the responsibility of the donor.

B. When the library receives a cash gift for the purchase of materials, whether as a memorial or for any other purpose, the general nature or subject area of the materials to be purchased will be based upon the wishes of the donor. In accordance with the needs and selection policies of the library, the library staff will make selection of specific titles.

C. Special collections and memorial collections will not be shelved as separate physical entities. Such collections will be accepted only with the understanding that they will be integrated into the general collection.

6. Concerns Regarding Material

A. The customer's choice of library materials for personal use is an individual matter. Responsibility for the use of materials by children and adolescents rests with their parents or legal guardians. While a person may reject materials for himself or herself and for his or her children, he or she cannot exercise censorship to restrict access to the materials by others.

B. Any customer in the library's service area who objects to the presence or absence of a work may do so by completing the Statement of Concern About Library Resources form included at the end of this policy. The professional staff and the Library Trustees will review challenges. The customer will be informed of the Trustee's decision.

CEDAR FALLS PUBLIC LIBRARY
Confidentiality Policy

The confidentiality of library records is central to intellectual freedom and directly related to the ability of citizens to use library materials and pursue information without fear of intimidation.

Confidentiality extends to information sought or received and materials consulted, borrowed or otherwise acquired including:

- database search records
- Internet and electronic resources search records
- reference interview and transactions
- interlibrary loan records
- all other personally identifiable uses of library materials or information services.

Compliance with Iowa Open Records Law

All information stored in any medium belonging to a city is defined as a public record by Section 22.1(3) of the Code of Iowa, but Section 22.7(13) provides that certain "public records" are confidential, including: "The records of a library which, by themselves, or when examined with other public records, would reveal the identity of the library patron checking out or requesting an item or information from the library.," This same section specifically prohibits the release of such information except under court order.

Library's Responsibility

At no time will the Library Director, who serves as custodian of the records, release records of circulation transactions or information requests except under court order. Furthermore, the Library will resist issuance or enforcement of any such process, order, or subpoena until such time as a proper showing of good cause has been made in a court of competent jurisdiction.

Borrowers' Rights

The confidentiality of circulation transactions and information requests is both library policy and state law. This information may be released only to the person who has borrowed the items upon presentation of the library card or by phone if the patron provides the card number. Parents may be told how many books are checked out to their children and when they are due, but may not be told the titles of the items.

Reviewed 01/07/09

CEDAR FALLS PUBLIC LIBRARY
Policy of Use of Community Display Case

1. Local community organizations are welcome to use the community display case, a gift in 1982 from Friends of the Library and the Altrusa Club. Display periods not already allocated by the library may be reserved through the information desk of the library.

2. The recommended display period will be one month.

3. The library will assume no responsibility for displays other than its own. It is the responsibility of each organization using the display case to remove the display on the last day of the reserved period.

4. The Cedar Falls Public Library reserves the right to accept or reject the contents of each display.

APPLICATION FOR USE OF COMMUNITY DISPLAY CASE

Name of Organization: _____

Name of Individual: _____

Address: _____ Phone: _____

Date Requested: _____

I have read the community display case policy and agree to abide by it.

Signature: _____

Date: _____

Reviewed 01/07/09

CEDAR FALLS PUBLIC LIBRARY
Community National Bank
2nd Floor Display Case Policy

1. The case is scheduled for a 3 month period as follows:

   January 1 - March 31 April 1 - June 30
   July 1 - September 30 October 1 - December 31

2. Displays are to be installed during the first week of the display period and removed the last week by the organization. Items left in the case become the property of the library.

3. No nails, two-faced tape or other devices for hanging on the walls.

4. Items weighing under 1 pound may be hung from the ceiling.

5. Subject matter of the display must be appropriate for public space.

6. The library is a public building, and while the display case can be locked, the library is not responsible for securing items in the display case.

7. The Cedar Falls Public Library reserves the right to accept or reject the contents of each display.

8. The display case must be left in its original condition. Clean-up and any damage to the case is the responsibility of the user.

Name of Organization:_____

Purpose of Organization: _____

Brief description of the display: _____

_____

_____

_____

_____

Name of Individual: _____

Address: _____

Phone: _____ E-mail: _____

Preferred dates: _____

I have read the display case policy and agree to abide by it.

Signature: _____ Date: _____

Reviewed 1/7/09

CEDAR FALLS PUBLIC LIBRARY
Policy on Electronic Intellectual Freedom

Consistent with our mission and the professional principles of public librarianship, our Internet Access Policy affirms the safeguarding of First Amendment rights, intellectual freedom, equity of access, confidentiality of information about users and their use of all library resources including electronic, and individual responsibility. The library affirms the following principles and user rights as delineated in the American Library Association's Library Bill of Rights in Cyberspace:

Electronic information, services, and networks provided by libraries should be readily, equally, and equitably accessible to all library users.

Libraries and librarians should not deny or limit access to information available via electronic resources because of its controversial content or because of personal beliefs or fear of confrontation.

Information retrieved or utilized electronically should be considered constitutionally protected unless determined otherwise by a court with appropriate jurisdiction.

Responsibility for, and any restriction of, a child's use of the Internet rests solely with his or her parents or legal guardian.

Reviewed 1/07/09

CEDAR FALLS PUBLIC LIBRARY
Extended Loan Periods

Materials that can be renewed can be checked out for an extended loan period approved at the circulation desk under certain circumstances such as vacations or special programs.

Extended loan periods are also available for materials checked out on Teachers Cards, through the Third Age Project, or for Homebound. Fines on overdue materials checked out on Teachers Cards are $.05 per day. There are no overdue fines on Third Age Project or Homebound materials.

Reviewed 01/07/09

CEDAR FALLS PUBLIC LIBRARY
POLICY ON FEES AND CHARGES

The cost for a lost or damaged borrower's card is $2.00.

Fines for all overdue materials are $.25 per day per item. Accrual of overdue fines is limited to $5.00 per item. Patrons who have overdue materials or owe fines in excess of $5.00 are unable to check out until some of the fine is paid, or the overdue materials are returned.

The borrower is responsible for lost or damaged material. Maximum fine is the replacement cost of the material plus a $5.00 processing fee. Fees for damaged materials are determined by the department head.

Reviewed: 1/7/09

CEDAR FALLS PUBLIC LIBRARY
The Freedom to Read

A statement prepared by the Westchester Conference of the American Library Association and the American Book Publishers Council May 2 and 3, 1953

The freedom to read is essential to our democracy. It is under attack. Private groups and public authorities in various parts of the country are working to remove books from sale, to censor textbooks, to label "controversial" books, to distribute lists of "objectionable" books or authors, and to purge libraries. These actions apparently rise from a view that our national tradition of free expression is no longer valid; that censorship and suppression are needed to avoid the subversion of politics and the corruption of morals. We, as citizens devoted to the use of books and as librarians and publishers responsible for disseminating them, wish to assert the public interest in the preservation of the freedom to read.

We are deeply concerned about these attempts at suppression. Most such attempts rest on a denial of the fundamental premise of democracy: that the ordinary citizen, by exercising his critical judgment, will accept the good and reject the bad. The censors, public and private, assume that they should determine what is good and what is bad for their fellow-citizens.

We trust Americans to recognize propaganda, and to reject obscenity. We do not believe they need the help of censors to assist them in this task. We do not believe they are prepared to sacrifice their heritage of a free press in order to be "protected" against what others think may be bad for them. We believe they still favor free enterprise in ideas and expression.

We are aware, of course, that books are not alone in being subjected to efforts at suppression. We are aware that these efforts are related to a larger pattern of pressures being brought against education, the press, films, radio and television. The problem is not only one of actual censorship. The shadow of fear cast by these pressures leads, we suspect, to an even larger voluntary curtailment of expression by those who seek to avoid controversy.

Such pressure toward conformity is perhaps natural to a time of uneasy change and pervading fear. Especially when so many of our apprehensions are directed against an ideology, the expression of a dissident idea becomes a thing feared in itself, and we tend to move against it as against a hostile deed, with suppression.

And yet suppression is never more dangerous than in such a time of social tension. Freedom has given the United States the elasticity to endure strain. Freedom keeps open the path of novel and creative solutions, and enables change to come by choice. Every silencing of a heresy, every enforcement of an orthodoxy, diminishes the toughness and resilience of our society and leaves it the less able to deal with stress.

Now as always in our history, books are among our greatest instruments of freedom. They are almost the only means for making generally available ideas or manners of

expression that can initially command only a small audience. They are the natural medium for the new idea and the untried voice from which come the original contributions to social growth. They are essential to the extended discussion which serious thought requires, and to the accumulation of knowledge and ideas into organized collections.

We believe that free communication is essential to the preservation of a free society and a creative culture. We believe that these pressures towards conformity present the danger of limiting the range of variety of inquiry and expression on which our democracy and our culture depend. We believe that every American community must jealously guard the freedom of publish and circulate, in order to preserve its own freedom to read. We believe that publishers and librarians have a profound responsibility to give validity to that freedom to read by making it possible for the reader to choose freely from a variety of offerings.

The freedom to read is guaranteed by the Constitution. Those with faith in free men will stand firm on these constitutional guarantees of essential rights and will exercise the responsibilities that accompany these rights.

We therefore affirm these propositions:

1. It is in the public interest for publishers and librarians to make available the widest diversity of views and expressions, including those which are unorthodox or unpopular with the majority.

   Creative thought is by definition new, and what is new is different. The bearer of every new thought is a rebel until his idea is refined and tested. Totalitarian systems attempt to maintain themselves in power by the ruthless suppression of any concept which challenges the established orthodoxy. The power of a democratic system to adapt to change is vastly strengthened by the freedom of its citizens to choose widely from among conflicting opinions offered freely to them. To stifle every non-conformist idea at birth would mark the end of the democratic process. Furthermore, only through the constant activity of weighing and selecting can the democratic mind attain the strength demanded by times like these. We need to know not only what we believe but why we believe it.

2. Publishers and librarians do not need to endorse every idea or presentation contained in the books they make available. It would conflict with the public interest for them to establish their own political, moral or aesthetic views as the sole standard for determining what books should be published or circulated.

   Publishers and librarians serve the educational process by helping to make available knowledge and ideas required for the growth of the mind and the increase of learning. They do not foster education by imposing as mentors the patterns of their own thought. The people should have the freedom to read and consider a broader range of ideas than those that may be held by any single librarian or publisher or government or church. It is wrong that what one man can read should be convinced to what another thinks proper.

3. It is contrary to the public interest for publishers or librarians to determine the acceptability of a book solely on the basis of the personal history or political affiliations of the author.

   A book should be judged as a book. No art or literature can flourish if it is to be measured by the political views or private lives of its creators. No society of free men can flourish which draws up lists of writers to whom it will not listen, whatever they may have to say.

4. The present laws dealing with obscenity should be vigorously enforced. Beyond that, there is no place in our society for extra-legal efforts to coerce the taste of others, to confine adults to the reading matter deemed suitable for adolescents, or to inhibit the efforts of writers to achieve artistic expression.

   To some, much of modern literature is shocking. But is not much of life itself shocking? We cut off literature at the source if we prevent serious artists from dealing with the stuff of life. Parents and teachers have a responsibility to prepare the young to meet the diversity of experiences in life to which they will be exposed as they have a responsibility to help them learn to think critically for themselves. These are affirmative responsibilities not to be discharged simply by preventing them from reading works for which they are not yet prepared. In these matters taste differs, and taste cannot be legislated; nor can machinery be devised which will suit the demands of one group without limiting the freedom of others.

   We deplore the catering to the immature, the retarded or the maladjusted taste. But those concerned with freedom have the responsibility of seeing to it that each individual book or publication, whatever its contents, price or method of distribution, is dealt with in accordance with due process of law.

5. It is not in the public interest to force a reader to accept with any book the prejudgment of a label characterizing the book or author as subversive or dangerous.

   The idea of labeling presupposes the existence of individuals or groups with wisdom to determine by authority what is good or bad for the citizen. It presupposes that each individual must be directed in making up his mind about the ideas he examines. But Americans do not need others to do their thinking for them.

6. It is the responsibility of publishers and librarians, as guardians of the people's freedom to read, to contest encroachments upon that freedom by individuals or groups seeking to impose their own standards or tastes upon the community at large.

   It is inevitable in the give and take of the democratic process that the political, the moral, or the aesthetic concepts of an individual or group will occasionally collide

with those of another individual or group. In a free society each individual is free to determine for himself what he wishes to read, and each group is free to determine what it will recommend to its freely associated members. But no group has the right to take the law into its own hands and impose its own concept of politics or morality upon other members of a democratic society. Freedom is no freedom if it is accorded only to the accepted and the inoffensive.

7. It is the responsibility of publishers and librarians to give full meaning to the freedom to read by providing books that enrich the quality of thought and expression. By the exercise of this affirmative responsibility, bookmen can demonstrate that the answer to a bad book is a good one, the answer to a bad idea is a good one.

   The freedom to read is of little consequence when expended on the trivial; it is frustrated when the reader cannot obtain matter fit for his purpose. What is needed is not only the absence of restraint, but the positive provision of opportunity for the people to read the best that has been thought and said. Books are the major channel by which the intellectual inheritance is handed down, and the principal means of its testing and growth. The defense of their freedom and integrity and the enlargement of their service to society, requires of all bookmen the utmost of their faculties, and deserves of all citizens the fullest of their support.

* * * * * * * *

We state these propositions neither lightly nor as easy generalizations. We here stake out a lofty claim for the value of books. We do so because we believe that they are good, possessed of enormous variety and usefulness, worthy of cherishing and keeping free. We realize that the application of these propositions may mean the dissemination of ideas and manners of expression that are repugnant to many persons. We do not state these propositions in the comfortable belief that what people read is unimportant. We believe rather that what people read is deeply important; that ideas can be dangerous; but that the suppression of ideas is fatal to a democratic society. Freedom itself is a dangerous way of life, but it is ours.

Endorsed by:

American Library Association Council. June 25, 1953

American Book Publishers Council, Board of Directors. June 18, 1953

CEDAR FALLS PUBLIC LIBRARY
Gift Policy

The Cedar Falls Public Library accepts gifts of library materials, money real property, art, equipment or other miscellaneous gifts but reserves the right to make the final decision pertaining to accepting these gifts. Deferred gifts including but not limited to gifts of life insurance and planned gifts may be accepted under the discretion of the Board of Trustees. Unrestricted monetary contributions are added to the library's endowment administered by the Cedar Falls Civic Foundation. The Board reserves the right to consider, accept or decline acceptance of gifts with restrictions.

Memorial books or other library materials may be donated in honor of a friend or relative and are marked with a special bookplate and noted in the online catalog.

Used books can sometimes be added to the library's collection. Books and library materials not needed by the library are sold at the used bookstore, the Book Nook, operated by the Friends of the Library.

The library may or may not accept donations of specialized collections at the discretion of the Board of Trustees based on the recommendation of the Library Director.

The library applies the same criteria for evaluating gift~~s~~ materials as it applies to purchased material. Gifts will be withdrawn in the same manner as purchased material. The library does not accept responsibility for notifying donors of withdrawal or replacement of gift items.

The library will not state a value on the gift but will leave the determination to the donor.

Reviewed 1/07/09

Cedar Falls Public Library
Addendum to Internet and Acceptable Use Policy

Internet Safety Policy for patrons under the age of 17 as required by the public law, [47 U.S.C. § 254(h) and (l)] commonly know as: The Children's Internet Protection Act (CIPA) and the Neighborhood Internet Protection Act (NCIPA) which went into effect on April 20, 2001.

1. Individuals covered by this policy may not use the Cedar Falls Public Library Internet enabled computers to access inappropriate matter on the Internet, World Wide Web (WWW) or any other resource.

2. Individuals covered by this policy using the Cedar Falls Public Library, while using direct electronic communications, whether electronic mail, chat rooms, or any other form of direct electronic communications may not divulge their name, age, address, location or other personal information.

3. Individuals covered by this policy using the Cedar Falls Public Library are specifically forbidden from using the Cedar Falls Public Library computers for unauthorized access, modification, hacking, cracking and other unlawful activities, including but not limited to accessing library and other networks.

4. Individuals covered by this policy are specifically forbidden in using the Cedar Falls Public Library computers to provide unauthorized disclosure, use, and dissemination of personal identifiable information concerning and regarding themselves or any other person.

5. Individuals covered by this policy may not use the Cedar Falls Public Library to access any material which might be harmful to minors.

CEDAR FALLS PUBLIC LIBRARY
ICN Policy

The Cedar Falls Public Library's ICN classroom is available to any authorized ICN user on a first come, first served basis through the scheduling process. "Authorized users" are defined in Chapter VII of the "Iowa Administrative Rules." The Cedar Falls Public Library reserves the right to cancel any scheduled activity when circumstances warrant such measures.

The Iowa Communications Network (ICN) is a limited access network and cannot be used for profit making. The user may not resell time on the network.

The ICN classroom is open during the library's normal business hours. It is not available on Sunday.

The authorized user is responsible for all telecommunications charges incurred for the use of the room.

ICN classroom requests should be submitted at least 72 hours in advance through the ICN scheduling system. Cancellations must be done at least 48 hours prior to the event through the ICN scheduling system or user will be billed. To inquire about scheduling contact ICN at 515-323-4402 or visit the Iowa Database website at *www.iptv.org/iowa_database/.*

The Cedar Falls Public Library is not responsible for any unscheduled interruption of an ICN session or the cancellation of a session by the ICN or a host site.

Use of the ICN classroom equipment is limited to library staff or those previously trained in its use. Such training can be scheduled with authorized library staff at least 24 hours in advance of the ICN event and will be conducted by authorized library staff only during regular library hours.

An authorized user of the ICN classroom must comply with the "American Disabilities Act" and is responsible for providing interpreters or auxiliary aids, if requested. The user assumes the cost of reasonable accommodations.

The authorized user is financially responsible for any damage or loss to the Cedar Falls Public Library or ICN property. Misconduct or damage to the property may result in immediate termination of the meeting or event and are grounds for refusal of future requests to use the room.

Permission to use the ICN classroom does not imply endorsement of, or agreement with, the purpose(s) or the expression of any individual or organization by the Cedar Falls Public Library.

Use or transmission of copyrighted materials without prior approval of the copyright owner is strictly prohibited. Appropriate use of copyrighted material is the responsibility of the authorized user, not the Cedar Falls Public Library.

Food and non-alcoholic beverages are allowed in the room. Users are responsible for cleaning the room after use.

CEDAR FALLS PUBLIC LIBRARY
LCD Screen Policy

The Library's LCD screen is intended to notify the public of events, services, materials, and other items of interest directly related to the Cedar Falls Public Library, including matters related to the Friends of the Cedar Falls Public Library.

Adopted by Library Board of Trustees 4/7/10

CEDAR FALLS PUBLIC LIBRARY
Library Behavior Policy

Everyone is welcome to use the library facilities; however, every patron shall comply with the policy on behavior, which is based on Cedar Falls City Code Section 19-12 (1993), Disorderly Conduct, specifically:

> "(a) A person commits the offense of disorderly conduct when the person does any of the following:
>
> 1. Engages in fighting or violent behavior in any public place or in or near any lawful assembly of persons, provided that participants in athletic contests may engage in such conduct which is reasonably related to that sport.
> 2. Makes loud or raucous noise in the vicinity of any residence or public building which causes unreasonable distress to the occupants thereof.
> 3. Directs abusive epithets or makes any threatening gesture which the person knows or reasonably should know is likely to provoke a violent reaction by another.
> 4. Without lawful authority or color of authority, disturbs any lawful assembly or meeting of persons by conduct intended to disrupt the meeting or assembly.
> 5. By words or action, initiates or circulates a report or warning of fire, epidemic or other catastrophe, knowing such report to be false or such warning to be baseless..."

There shall be no consumption of food or tobacco products in the main library.

Enforcement of this policy will consist of the library staff giving the patron violating this policy a verbal warning. If the patron continues to violate this policy, they will be asked to leave. Finally, if the patron refuses to leave, the patron shall be removed from the library by the Cedar Falls police and may be prosecuted for trespassing.

The library and its contents belong to the citizens of Cedar Falls. Patrons damaging the library facility or its contents will be held responsible for necessary replacement or repair. If the patron is a minor, parents or guardians will be held responsible as provided by law.

All children are welcome in the Youth Library; however, younger children should not be left unattended by an adult. The library staff cannot be responsible for their care or safety. An effort will be made to contact a parent or guardian of an unattended child.

By following these rules staff and patrons will make the Cedar Falls Public Library a good place for learning, recreational reading and research.

Revised 1/07/09

CEDAR FALLS PUBLIC LIBRARY
Library Bill of Rights

The Council of the American Library Association reaffirms its belief in the following basic policies which should govern the services of all libraries.

1. As a responsibility of library service, books and other library materials selected should be chosen for values of interest, information and enlightenment of all the people of the community. In no case should library material be excluded because of the race or nationality or the social, political, or religious views of the authors.

2. Libraries should provide books and other materials presenting all points of view concerning the problems and issues of our times; no library materials should be proscribed or removed from libraries because of partisan or doctrinal disapproval.

3. Censorship should be challenged by libraries in the maintenance of their responsibility to provide public information and enlightenment.

4. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.

5. The rights of an individual to the use of a library should not be denied or abridged because of his age, race, religion, national origins or social or political views.

6. As an institution of education for democratic living, the library should welcome the use of its meeting rooms for socially useful and cultural activities and discussions of current public questions. Such meeting places should be available on equal terms to all groups in the community regardless of the beliefs and affiliations of their members, provided that the meetings be open to the public.

Reviewed 02/04/09

CEDAR FALLS PUBLIC LIBRARY
Library Cards (Registration)

Any person who resides within the city limits of Cedar Falls, or who owns property in Cedar Falls, will be issued a borrower's card, upon application, without a fee. Identification showing name and current Cedar Falls address is required.

Any person who resides within rural Black Hawk County will be issued a borrower's card, upon application, without a fee. Identification showing name and current address is required.

Children below the 7th grade must have parental signature to obtain a borrower's card.

Cedar Falls Public Library will issue library cards in compliance with Open Access rules for statewide reciprocal borrowing.

UNI students living in the dorm may borrow books from the Cedar Falls Public Library according to the rules of Open Access. Students will be asked to provide their UNI address and home address as proof of identification.

CEDAR FALLS PUBLIC LIBRARY
Library Website Links Policy

The Cedar Falls Public Library website is an online source of information for staff and patrons of the Library. Included on the site are a limited number of links to other websites chosen because these links have been useful to staff in answering patron questions. These sites are selected to enrich, broaden, and complement the print and audiovisual library materials available and must be consistent with the Library's Collection Development Policy. Criteria include currency, authority, organization and accessibility.

Resources are constantly changing on the Internet. Since these linked sites are not under the control of the Library they may change or disappear over time. New links will be added and current links evaluated regularly based on the Collection Development Policy criteria. Sites are not added upon request. It is not intended that the listing of sites open up the Library's web pages as a full or partial public forum.

Reviewed 02/04/09

Cedar Falls Public Library
MEETING ROOM POLICY

The Cedar Falls Public Library provides meeting rooms for library sponsored or co-sponsored programs and conferences which meet the library's civic, informational, educational, cultural, and recreational goals. When not in use for library activities, these meeting rooms are available to community organizations and committees under the following guidelines approved by the Library Board. The Library Board neither approves nor disapproves of content, topics, subject matter, or points-of-view of individuals or groups using the meeting rooms.

WHO MAY USE THE MEETING ROOMS

Approval is granted for a single meeting or a brief series of meetings. Rooms are not intended to be a group's regular meeting place. Exceptions may be made at the discretion of the Library Director.

Organizations using the meeting rooms may not charge admission fees other than regular membership dues, or conduct direct sales. Exceptions may be made at the discretion of the Library Director.

Meeting room usage is not intended for use for personal parties, such as showers, funerals, birthday parties, etc.

HOW TO RESERVE A ROOM

Application forms to reserve a meeting room may be obtained at the Information desk on the first floor of the library. The form requires the organization or group name, title of the program, any special equipment needed, the number of people expected, name and phone number of person responsible for meeting, and the exact times of arrival and departure

REGULATIONS

The meeting rooms are available for use only during the hours the library is open to the public. Users are responsible for their own set up and breakdown. All rooms must be returned to their original condition immediately after the meeting is completed. All organizations must take reasonable precautions to avoid damage of equipment, furnishings, floor cover and other library property. The library reserves the right to require a damage deposit from organizations.

Groups should check in at the Reference Desk before setting up and notify the Reference Desk when leaving.

FOOD AND BEVERAGES

Simple refreshments may be served in the meeting rooms, provided the room(s) and kitchenette are left in the condition they were found. Users must bring their own utensils and supplies. No smoking or alcoholic beverages are permitted anywhere on the premises. Food or beverages may not be carried to other parts of the library.

DISCLAIMERS

No organization, without the permission of the Library Director, may list the address of the Cedar Falls Public Library as its official address.

Groups may not use the Cedar Falls Public Library name or logo in any way that implies Library endorsement or sponsorship of the groups' activities.

The Library reserves the right to refuse reservations.

The Library does not page or take telephone calls for groups or individuals in meetings in the library.

The Library is not responsible for accidents, injury, loss or damage to the private property of individuals or organizations. Neither the Library Board, staff, nor the City of Cedar Falls will be responsible for the property of individuals or organizations meeting in the library, or take responsibility for storage of materials.

Individuals or organizations meeting in the library must agree to indemnify and hold the Library and the City of Cedar Falls harmless from any and all liability, claims, actions, causes of action, and/or damages, which may arise, or allegedly arise during use of the library facilities. This shall include obligation to defend the Library and the City of Cedar Falls and to be responsible for any legal fees incurred and pay any judgments entered.

APPLICATION FOR USE OF LIBRARY MEETING ROOM

Name of Organization: _____

Name of Program: _____

Name of Individual: _____

Address: _____

Phone: _____ Anticipated Attendance: _____

Date of Meeting: _____ Day of the Week: _____

Start Time: _____ End Time: _____

Equipment Needs: _____

I have read the meeting room policy and agree to abide by it.

Signature: _____

Date: _____

Approved as revised 5/4/11

Circle Room Assigned: Conference Room Meeting Room

CEDAR FALLS PUBLIC LIBRARY
Petition/Soliciting Policy

No group or individual may circulate petitions in the library building.

Petitions may be circulated outside the facility at a reasonable distance from the library, however, patrons must be allowed free access to the facility, and harassment or intimidation of patrons will not be tolerated.

No one can sell any items in the library unless in conjunction with a library-sponsored event. The Friends of the Cedar Falls Public Library may sell items in the Book Nook.

Revised 02/04/09

CEDAR FALLS PUBLIC LIBRARY
Public Access Computer Policy

The Cedar Falls Public Library provides public access computers for Internet and Microsoft office products. Computers are reserved on a “first come, first served,” basis for one hour blocks of time with additional minutes if no one else is waiting. All computer sessions must end 10 minutes prior to closing time. To use the computers, patrons must scan their library card at the Internet booking station on the second floor. Patrons may use only their own library card to access the Internet, although guest logins are available at the Reference Desk for nonresidents.

Software availability may change without notice. Anti-virus precautions have been implemented on library computers. However, the library does not guarantee protection from viruses. Users should bring their own formatted disks or flash drives for downloads.

Library staff cannot provide in-depth training on personal computer use or the Internet. The staff may be able to offer searching suggestions and answer questions. Internet, word processing, and other computer books are available for patron use.

Only two people may share a computer at one time. Misuse of computers such as, but not limited to, physical abuse of hardware or attempts to circumvent library security measures, will result in the loss of the patron’s computer privileges. The Library may also charge a patron for damages caused by their actions. If the patron is a minor, the parents or guardians will be held responsible for damages. The Library does not filter Internet content. Staff may, however, limit images displayed on those screens open to public viewing in order to ensure the secure and comfortable environment of the Library. The Library reserves the right to end an Internet session at any time at our sole and uncontrolled discretion.

Library equipment may not be used to make unauthorized copies of copyrighted materials. Copyrighted software may not be copied. Persons who make or attempt to make unauthorized copies shall be subject to all fines and penalties applicable to copyright violation.

Print copies may be made from the computers for $.10 per page, black and white or $.50 per page for color.

On the first floor, Youth Department public access computers may only be used by patrons in 6th grade or younger and their parents or guardians.

Revised 02/04/09

CEDAR FALLS PUBLIC LIBRARY
POLICY REGARDING REGISTERED SEX OFFENDERS

The purpose of this policy is to ensure that the Library is in compliance with Iowa Code Chapter 692A that excludes registered sex offenders convicted of offenses against minors from public libraries. Sex offenders convicted of a sex offense against a minor shall not be present upon the real property of a public library and they shall not loiter within three hundred feet of the real property boundary of a public library. The Code provides an exception to this prohibition if the library administrator provides written permission.

The Library Director will not give written permission for registered sex offenders convicted of sex offenses against minors to be in the library. This decision can be appealed to the Library Board of Trustees. The issuance of a library card at any time is NOT permission to enter the library.

The law provides for only two exceptions to the above library exclusion zone: Sex offenders who otherwise live within an established residence within the exclusion zone and sex offenders who are legally entitled to vote may enter the premises if it is a polling location and only for the time reasonably necessary to exercise the right to vote.

Registered sex offenders convicted of sex offenses against minors may be eligible for some library services. They may receive information via telephone or online. They may register for a card directly with the Director, or her designee, via telephone or online, and make arrangements for a person of their choosing to select, check out, and return materials using that card. They may use that card to access the Library's online materials or databases.

Violations of this policy will be immediately reported to law enforcement, and violators will lose all library privileges. Violators will be subject to prosecution for violation of the Iowa Code.

Approved 7/8/09

CEDAR FALLS PUBLIC LIBRARY
Request for Reconsideration of a Policy

Date: _____

Request initiated by: _____

Address: _____ Phone: _____

Complainant represents:
_____ Patron: _____

_____ Group: _____

Policy: _____

_____

1. Why do you object to this policy? _____

_____

_____

2. What specific part of this policy do you object to? _____

_____

_____

3. What changes would you like to see in this policy? _____

_____

_____

Would you like to present your concerns to the Library Board of Trustees?

Yes No (circle one)

The next Library Board of Trustees meeting is: _____

_____
Signature of Complainant

Reviewed 02/04/09

CEDAR FALLS PUBLIC LIBRARY
Safe Child Policy

The Cedar Falls Public Library is not responsible for unattended children:

The Library cannot ensure the safety of any library patron of any age. Library staff duties cannot include babysitting or taking over any parental responsibilities for children in the library. While the Cedar Falls Public Library is concerned about the safety and welfare of all children, parents and caregivers are responsible for the children's safety and welfare and for monitoring children's activities and behavior.

Children ten and under must be directly supervised by a parent or responsible caregiver at all times while in the library. Parents or caregivers are responsible for the safety and appropriate behavior of each child in their care. Parents or caregivers cannot leave young children unattended in the Youth Department or any other library department while using other parts of the library.

Children or groups of children visiting the library from any preschool, child care or babysitting facility must be directly supervised at all times by caregivers to ensure safety and to monitor behavior.

A child (or children) left habitually unattended is (are) deemed to be at risk:

If a parent or guardian of an unattended child under the age of ten cannot be contacted or located within one hour of the discovery that the child is unattended, local law enforcement will be notified to take custody of the child.

Reviewed 02/04/09

Policy for Serving Wine and Beer at the Cedar Falls Public Library

Alcoholic beverages will be served at the Cedar Falls Public Library in compliance with state and local laws.

All alcoholic beverages served must be given away free and the agency must not be reimbursed for this cost in any way.

No alcoholic beverages will be served at any event to which there is an admission fee, entrance fee, fare, ticket, donation or charge made or required of the invited guests to participate in the event.

Alcoholic beverages will only be served as long as the City of Cedar Falls has Host Liquor Liability insurance.

Wine and beer are the only kinds of alcoholic beverages which may be served.

All occasions in which wine/beer are served shall have previous approval by the Cedar Falls Public Library Board.

Serving of wine/beer on the premises will be limited to not more than ten Cedar Falls Public Library events each year.

On each occasion, wine/beer will be served for no more than a two hour period.

Wine/beer will only be served if food is also served.

Those pouring or serving beer and wine shall be of legal age.

Those to whom wine and beer is offered or served will be of legal age.

Those serving the wine/beer will monitor the alcohol consumption of individual guests and discontinue service to individuals if deemed appropriate or necessary.

Persons serving will not consume wine or beer while serving wine/beer to guests.

This policy will be reviewed annually by the Cedar Falls Public Library Board.

Non-alcoholic beverages will always be available as an alternate to wine and beer when it is being served.

All wine and beer served will not be purchased with operating funds.

Reviewed 02/04/09

CEDAR FALLS PUBLIC LIBRARY
Statement Of Concern About Library Resources

Name:_____ Date: _____

Address:_____ Phone: _____

City: _____ State:____ Zip: _____

1. Resource on which you are commenting:
   _____Book
   _____Audiovisual Resource
   _____Magazine
   _____Content of Library Program
   _____Newspaper
   _____Other

Title:_____

Author/Producer: _____

2. What brought this title to your attention?

3. Please comment on the resource as a whole as well as being specific on those matters which concern you. (Use other side as needed.) Comment:

4. What resource(s) do you suggest to provide additional information on this topic?

Revised 02/04/09

Use of Manual Wheelchair Policy

It is the policy of the Waterloo and Cedar Falls Public Libraries that elderly and disabled patrons have access to mobility aids that will help them navigate the library and retrieve materials

Staff will only loan the wheelchair to a patron who physically needs it.

Revised 02/04/09

Use of Motorized Cart Policy

It is the policy of the Waterloo and Cedar Falls Public Libraries that elderly and disabled patrons have access to mobility aids that will help them navigate the library and retrieve materials

Staff will only loan the cart to a patron who physically needs it.

Revised 02/04/09

Cedar Falls Public Library
Terms of Service and Acceptable Use Policy (WiFi)

Access to the Service
The Service is a free public service provided by the Cedar Falls Public Library. The Service is available 24/7 and each device is limited to four hours and 300 MB download capability per day. Your access to the Service is completely at the discretion of the Cedar Falls Public Library, and your access to the Service may be blocked, suspended, or terminated at any time for any reason including, but not limited to, violation of this Agreement, actions that may lead to liability for or its owners, disruption of access to other Users or networks, and violation of applicable laws or regulations. The Cedar Falls Public Library may revise this Agreement at any time. You must accept this Agreement each time you use the Service and it is your responsibility to review it for any changes each time.

Acceptable Use of the Service
The Cedar Falls Public Library supports the free flow of information and ideas over the Internet. Your access to the Service is conditioned on legal and appropriate use of the Service. Your use of the Service and any activities conducted online through the Service shall not violate any applicable law or regulation or the rights of the Cedar Falls Public Library, or any third party.

The use of the Service for the following activities is **prohibited**:

Spamming and Invasion of Privacy
Using the Service to send unsolicited bulk and/or commercial messages over the Internet or using the Service for activities that invade another's' privacy.

Intellectual Property Right Violations
Using the Service to engage in any activity that infringes or misappropriates the intellectual property rights of others, including patents, copyrights, trademarks, service marks, trade secrets, or any other proprietary right of any third party.

Obscene or Indecent Speech or Materials
Using the Service to advertise, solicit, transmit, store, post, display, or otherwise make available obscene or indecent images or other materials. The Cedar Falls Public Library will notify and fully cooperate with law enforcement if it becomes aware of any use of the Service in any connection with child pornography or the solicitation of sex with minors.

Defamatory or Abusive Language
Using the Service to transmit, post, upload, or otherwise making available defamatory, harassing, abusive, or threatening material or language that encourages bodily harm, destruction of property or harasses another.

Forging of Headers
Using the Service to forge or misrepresent message headers, whether in whole or in part, to mask the originator of the message.

Hacking
Using the Service to illegally access or access without authorization computers, accounts, equipment or networks belonging to another party, or attempting to penetrate security measures of another system. This includes any activity that may be used as a precursor to an attempted system penetration, including, but not limited to, port scans, stealth scans, or other information gathering activity.

Distribution of Internet Viruses, Trojan Horses, or Other Destructive Activities
Using the Service to distribute information regarding the creation of and sending Internet viruses, worms, Trojan Horses, pinging, flooding, mailbombing, or denial of service attacks. Also, activities that disrupt the use of or interfere with the ability of others to effectively use the Node or any connected network, system, service, or equipment.

Facilitating a Violation of this Agreement of Use
Using the Service to Advertise, transmit, or otherwise make available any software product, product, or service that is designed to violate this Agreement, which includes the facilitation of the means to spam, initiation of pinging, flooding, mailbombing, denial of service attacks, and piracy of software.

Export Control Violations
Using the Service for the transfer of technology, software, or other materials in violation of applicable export laws and regulations, including but not limited to the U.S. Export Administration Regulations and Executive Orders.

Other Illegal Activities
Using the Service in violation of applicable law and regulation, including, but not limited to, advertising, transmitting, or otherwise making available ponzi schemes, pyramid schemes, fraudulently charging credit cards, pirating software, or making fraudulent offers to sell or buy products, items, or services.

Resale
Using the Service for the sale, transfer, or rental of the Service to customers, clients or other third parties, either directly or as part of a service or product created for resale.

Notice of Violations of the AUP
The Cedar Falls Public Library requests that anyone who believes that there is a violation of the AUP direct the information to:

Agent to Receive Notification of Copyright Infringement Claims
The Digital Millennium Copyright Act of 1998 (the "DMCA") provides recourse for copyright owners who believe that material posted on Internet sites infringes their rights under U.S. copyright law. If you believe in good faith that items, information or other materials appearing on the Service infringes your copyright, you (or your agent) may send The Cedar Falls Public Library's Designated Agent a notice requesting that the item, information or material be removed, or access to it blocked. You can contact the Cedar Falls Public Library's Designated Agent at: webmaster@cedar-falls.lib.ia.us

Disclaimer
You acknowledge (i) that the Service may not be uninterrupted or error-free; (ii) that viruses or other harmful applications may be available through the Service; (iii) that does not guarantee the security of the Service and that unauthorized third parties may access your computer or files or otherwise monitor your connection; (iv) that the Cedar Falls Public Library's ability to provide the Service without charge is based on the limited warranty, disclaimer and limitation of liability specified in this Section and it would require a substantial charge if any of these provisions were unenforceable. THE SERVICE AND ANY PRODUCTS OR SERVICES PROVIDED ON OR IN CONNECTION WITH THE SERVICE ARE PROVIDED ON AN "AS IS", "AS AVAILABLE" BASIS WITHOUT WARRANTIES OF ANY KIND. ALL WARRANTIES, CONDITIONS, REPRESENTATIONS, INDEMNITIES AND GUARANTEES WITH RESPECT TO THE CONTENT OR SERVICE AND THE OPERATION, CAPACITY, SPEED, FUNCTIONALITY, QUALIFICATIONS, OR CAPABILITIES OF THE SERVICES, GOODS OR PERSONNEL RESOURCES PROVIDED HEREUNDER, WHETHER EXPRESS OR IMPLIED, ARISING BY LAW, CUSTOM, PRIOR ORAL OR WRITTEN STATEMENTS BY THE CEDAR FALLS PUBLIC LIBRARY, OR OTHERWISE (INCLUDING, BUT NOT LIMITED TO ANY WARRANTY OF SATISFACTORY QUALITY, MERCHANTABILITY, FITNESS FOR PARTICULAR PURPOSE, TITLE AND NON-INFRINGEMENT) ARE HEREBY OVERRIDDEN, EXCLUDED AND DISCLAIMED. SOME JURISDICTIONS DO NOT ALLOW THE EXCLUSION OF CERTAIN WARANTIES, SO THE ABOVE EXCLUSIONS MAY NOT APPLY TO YOU.

No Consequential Damages
UNDER NO CIRCUMSTANCES WILL THE CEDAR FALLS PUBLIC LIBRARY, THEIR SUPPLIERS OR LICENSORS, OR THEIR RESPECTIVE OFFICERS, DIRECTORS, EMPLOYEES, AGENTS, AND AFFILIATES BE LIABLE FOR CONSEQUENTIAL, INDIRECT, SPECIAL, PUNITIVE OR INCIDENTAL DAMAGES OR LOST PROFITS, WHETHER FORESEEABLE OR UNFORESEEABLE, BASED ON CLAIMS OF CUSTOMER, ITS APPOINTEES OR THEIR CUSTOMERS (INCLUDING, BUT NOT LIMITED TO, UNAUTHORIZED

ACCESS, DAMAGE, OR THEFT OF YOUR SYSTEM OR DATA, CLAIMS FOR LOSS OF GOODWILL, CLAIMS FOR LOSS OF DATA, USE OF OR RELIANCE ON THE SERVICE, STOPPAGE OF OTHER WORK OR IMPAIRMENT OF OTHER ASSETS, OR DAMAGE CAUSED TO EQUIPMENT OR PROGRAMS FROM ANY VIRUS OR OTHER HARMFUL APPLICATION), ARISING OUT OF BREACH OR FAILURE OF EXPRESS OR IMPLIED WARRANTY, BREACH OF CONTRACT, MISREPRESENTATION, NEGLIGENCE, STRICT LIABILITY IN TORT OR OTHERWISE. IN NO EVENT WILL THE AGGREGATE LIABILITY THAT THE CEDAR FALLS PUBLIC LIBRARY MAY INCUR IN ANY ACTION OR PROCEEDING EXCEED $100. THE LIMITATIONS, EXCLUSIONS AND DISCLAIMERS SET FORTH IN THIS SECTION WILL NOT APPLY ONLY IF AND TO THE EXTENT THAT THE LAW OR A COURT OF COMPETENT JURISDICTION REQUIRES LIABILITY UNDER APPLICABLE LAW BEYOND AND DESPITE THESE LIMITATIONS, EXCLUSIONS AND DISCLAIMERS.

Indemnity
You agree to indemnify and hold harmless the Cedar Falls Public Library, their suppliers and licensors, officers, directors, employees, agents and affiliates from any claim, liability, loss, damage, cost, or expense (including without limitation reasonable attorney's fees) arising out of or related to your use of the Service, any materials downloaded or uploaded through the Service, any actions taken by you in connection with your use of the Service, any violation of any third party's rights or an violation of law or regulation, or any breach of this agreement. This Section will not be construed to limit or exclude any other claims or remedies that may assert under this Agreement or by law.

Arbitration
You agree to submit any and all controversies or claims arising out of or relating to this Agreement or the existence, validity, breach or termination thereof, whether during or after its term, to an arbitrator. The arbitrator may, at either party's request, grant injunctive relief. The arbitral award will be the exclusive remedy of the parties for all claims, counterclaims, issues or accountings presented or plead to the arbitrator. Judgment upon the arbitral award may be entered in any court that has jurisdiction thereof. Any additional costs, fees or expenses incurred in enforcing the arbitral award will be charged against the party that resists its enforcement. Nothing in this Section will prevent the parties from seeking interim injunctive relief against one another.

Interpretation
This Agreement shall not be construed as creating a partnership, joint venture, agency relationship or granting a franchise between the parties. Except as otherwise provided above, any waiver, amendment or other modification of this Agreement will not be effective unless in writing and signed by the party against whom enforcement is sought. If any provision of this Agreement is held to be unenforceable, in whole or in part, such holding will not affect the validity of the other provisions of this Agreement. The Cedar Falls Public Library's performance of this Agreement is subject to existing laws and legal process, and nothing contained in this Agreement shall waive or impede the Cedar Falls Public Library's right to comply with law enforcement requests or requirements relating to your use of this Service or information provided to or gathered by with respect to such use. This Agreement constitutes the complete and entire statement of all terms, conditions and representations of the agreement between you and with respect to its subject matter and supersedes all prior writings or understanding.