



NORTH LAKE COUNTY PUBLIC LIBRARY DISTRICT LIBRARY CARD POLICY

STATEMENT OF PURPOSE: North Lake County Public Library District issues free library cards to facilitate the lending of materials and to enable the library to keep a record of which materials are on loan to patrons. The library extends borrowing privileges to all Montana residents as well as those persons who are temporarily (30 days or longer) residing within the boundaries of the library district.

Montana Code 22-1-311 “Use of Library – Privileges” states:

Every library established under the provisions of this part shall be free to the use of the inhabitants of the city or the county supporting such library. The board may exclude from the use of the library any and all persons who shall willfully violate the rules of the library. The board may extend the privileges and use of the library to persons residing outside of the city or county upon such terms and conditions as it may prescribe by its regulations.

LIBRARY RECORDS CONFIDENTIALITY POLICY: The law states that records of all library users, children and adult, are confidential. It is the policy of the library to protect our users’ privacy. We believe every citizen should have the freedom to use library materials without scrutiny by others. Montana law supports this policy in the “Montana Library Records Confidentiality Act,” Montana Code Annotated (MCA) 22-1-1101 through 22-1-1111.

The library is prohibited from disclosing library records under MCA 22-1-1103, except by written request from the person identified in those records, by a court order, or to the extent necessary to return overdue or stolen materials or collect fines. Staff follow written procedures in the event of a request; all requests are facilitated through the library director.

See Free Access to Libraries for Minors (Appendix I), and Minors and the Public Library (Appendix II).

OBTAINING A LIBRARY CARD: The library is a member of the Partners Resource Sharing Group of the Montana Shared Catalog. Online card registration is available for use of Montana Library2Go only. A physical card is required for all other online services and materials checkout. If a user already holds a library card at a Partner library, the user will be asked to either keep and use that card or have that card removed from the system and obtain a North Lake County Public Library card. It is recommended that a patron hold a library card at the library that they visit most so that library can modify and have full access to their account in order to best serve them.

Users 15 or older must present valid government or school issued photo identification and proof of a valid Montana address. A valid Montana Driver's License or a Montana State ID card with a Montana address will satisfy this requirement. An application must be filled out and include full legal name (including middle name, if any), date of birth, local mailing address, a phone number and/or email address, and PIN.

Users under the age of 15 may obtain a library card without a parent or legal guardian present; however a parent or legal guardian must sign a statement agreeing to be responsible for all materials, including damage, loss, fines and fees, borrowed by their dependents prior to checkout of any materials. A valid government or school issued photo identification and proof of a valid Montana address must be presented by the parent or legal guardian. A valid Montana Driver's License or a Montana State ID card with a Montana address will satisfy this requirement. Juvenile registration includes full legal name, date of birth, local mailing address, a phone number and/or email address and PIN.

To safeguard patron identity, the Library will not accept electronic copies or screen shots of a photo ID as proof of identity. All documents used for photographic identification must be original. The Library does allow electronic documents displayed on a device to be used for proof of address. The electronic version must be original and sent from the organization that issued it. Examples of proof of address include:

- Vehicle insurance or registration card
- Voter registration card
- Current utility bill
- Checking or Savings account statement
- Current tax statement
- Rental receipt, lease or deed
- Valid fishing or hunting license with current address

By signing the back of his/her library card, a patron of the library agrees to accept responsibility for all use of the card, including all fines incurred and the cost of lost or damaged materials.

SEASONAL USERS: Polson has many summer-only residents to whom library cards are issued. Two addresses are required for these seasonal patrons: a local summer mailing address and a permanent mailing address. This is only required for those users who live in Montana fewer than 6 months out of the year. "Snow birds" are considered to be Montana residents and are subject to the requirements listed above.

GROUP CARDS: Application for a group card must be written on business letterhead, stating that the organization is willing to assume responsibility for fines and damaged or lost items. The letter must also include a list of persons who are allowed to borrow on the card and be signed by the individual who will assume financial responsibility. Group cards are typically used for organizations like childcare facilities, group homes, and assisted living facilities where multiple materials are checked out to one organization to be used by many people.

LIBRARY CARD AGREEMENT:

- Library cards are the responsibility of the patron and should be brought to the library each time the patron wishes to check out materials, place holds, etc. If a patron forgets to bring their card, materials can be checked out without a card after verifying the patron's identity. If the computer system is down, however, this will not be possible.
- It is the cardholder's responsibility to notify Library staff of any address or contact information changes or if the library card is lost or stolen. Cardholders will be charged a \$1.00 fee for replacement of a lost library card.
- A cardholder agrees to return borrowed materials on time and accepts responsibility for lost or damaged materials. In the event an item is lost or damaged, the cardholder is responsible for the original price of the item plus a processing fee. The Library may accept a replacement of the item, if the replacement is identical to or better than the lost or damaged item. Only the processing fee will be charged when a replacement of the item is presented. Lost and damaged materials fees are payable at any Partner library and are non-refundable.
- The library does not charge overdue fines on most library materials. Overdue fines are charged on interlibrary loan materials, hotspots and other equipment. Borrowing and public computer privileges are suspended when the total amount owed on a card is \$10.00 or more.
- Held items may only be picked up with either the library card under which the item is held or by presenting the hold pickup notice. If neither are available, only the patron who has placed the hold may pick up the item unless a written holds pickup permission slip is on file designating another individual. In either case, proper identification will be required., Patrons have 7 days to checkout held items once they become available.
- A library card remains valid if the card is used at least once in a three-year period. If a card has not been used in three years and has no charges, it will be purged from the system. A patron would need to reapply for a new library card after this time.

This policy was revised by the North Lake County Public Library District Board of Trustees on **April 22, 2025.**

Signed:

Allen Bone, Chair
Abbi Dooley, Library Director

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

The American Library Association supports equal and equitable access to all library resources and services by users of all ages. Library policies and procedures that effectively deny minors equal and equitable access to all library resources and services available to other users is in violation of the American Library Association's *Library Bill of Rights*. The American Library Association opposes all attempts to restrict access to library services, materials, and facilities based on the age of library users.

Article V of the *Library Bill of Rights* states, "A person's right to use a library should not be denied or abridged because of origin, age, background, or views." The right to use a library includes free access to, and unrestricted use of, all the services, materials, and facilities the library has to offer. Every restriction on access to, and use of, library resources, based solely on the chronological age, apparent maturity, educational level, literacy skills, emancipatory or other legal status of users violates Article V. This includes minors who do not have a parent or guardian available to sign a library card application or permission slip. Unaccompanied youth experiencing homelessness should be able to obtain a library card regardless of library policies related to chronological age.

School and public libraries are charged with the mission of providing services and resources to meet the diverse interests and informational needs of the communities they serve. Services, materials, and facilities that fulfill the needs and interests of library users at different stages in their personal development are a necessary part of providing library services and should be determined on an individual basis. Equitable access to all library resources and services should not be abridged based on chronological age, apparent maturity, educational level, literacy skills, legal status, or through restrictive scheduling and use policies.

Libraries should not limit the selection and development of library resources simply because minors will have access to them. A library's failure to acquire materials on the grounds that minors may be able to access those materials diminishes the credibility of the library in the community and restricts access for all library users.

Children and young adults unquestionably possess First Amendment rights, including the right to receive information through the library in print, sound, images, data, social media, online applications, games, technologies, programming, and other formats.¹ Constitutionally protected speech cannot be suppressed solely to protect children or young adults from ideas or images a legislative body believes to be unsuitable for them.² Libraries and their library governing bodies should not resort to age restrictions in an effort to avoid actual or anticipated objections, because only a court of law can determine whether or not content is constitutionally protected.

Article VII of the *Library Bill of Rights* states, "All people, regardless of origin, age, background, or views, possess a right to privacy and confidentiality in their library use." This includes students and minors, who have a right to be free from any unreasonable intrusion into or surveillance of their lawful library use.³

The mission, goals, and objectives of libraries cannot authorize libraries and their governing bodies to assume, abrogate, or overrule the rights and responsibilities of parents and guardians. As "Libraries: An American Value" states, "We affirm the responsibility and the right of all parents and guardians to guide their own children's use of the library and its resources and services."⁴ Libraries and their governing bodies cannot assume the role of parents or the functions of parental authority in the private relationship between parent and child. Libraries and their governing bodies shall ensure that only parents and guardians have the right and the responsibility to determine their children's—and only their children's—access to library resources. Parents and guardians who do not want their children to have access to specific library services,

materials, or facilities should so advise their own children. Libraries and library governing bodies should not use rating systems to inhibit a minor's access to materials.⁵

Libraries and their governing bodies have a legal and professional obligation to ensure that all members of the communities they serve have free and equitable access to a diverse range of library resources and services that is inclusive, regardless of content, approach, or format. This principle of library service applies equally to all users, minors as well as adults. Lack of access to information can be harmful to minors. Libraries and their governing bodies must uphold this principle in order to provide adequate and effective service to minors.

¹ *Brown v. Entertainment Merchant's Association, et al.* 564 U.S. 08-1448 (2011).

² *Erznoznik v. City of Jacksonville*, 422 U.S. 205 (1975): "Speech that is neither obscene as to youths nor subject to some other legitimate proscription cannot be suppressed solely to protect the young from ideas or images that a legislative body thinks unsuitable for them. In most circumstances, the values protected by the First Amendment are no less applicable when government seeks to control the flow of information to minors." See also *Tinker v. Des Moines School Dist.*, 393 U.S.503 (1969); *West Virginia Bd. of Ed. v. Barnette*, 319 U.S. 624 (1943); *AAMA v. Kendrick*, 244 F.3d 572 (7th Cir. 2001).

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

⁴ "[Libraries: An American Value](#)," adopted on February 3, 1999, by ALA Council.

⁵ "[Rating Systems: An Interpretation of the *Library Bill of Rights*](#)," adopted on June 30, 2015, by ALA Council; amended June 25, 2019.

Adopted June 30, 1972, by the ALA Council; amended July 1, 1981; July 3, 1991; June 30, 2004; July 2, 2008 *under previous name* "Free Access to Libraries for Minors"; July 1, 2014; and June 25, 2019.

Minors and the Public Library

We have all read and heard much about the issues facing public libraries concerning minors' access to library materials and services. The Law Revision Task Force of the Montana State Library examined some of these issues within the context of Montana's laws and constitution. Based on their research, the Montana State Library offers you the following information for your consideration. (Note: references to parents include legal guardians.) Please call the Montana State Library at 406-444-3115 if you have questions about this information.

The Confidentiality of Library Records Act and Minors

Can the library give parents access to their children's library records?

No, according to state law, the records of all library users, children and adult, are confidential. Many times parents want to know what their children have checked out to avoid late fees. However, until the materials are overdue, the library cannot release the library records of a minor to the parent.

Refusing a parental request may place library staff in an uncomfortable situation. Nevertheless, the law states that records of library users, regardless of age, are private.

Can the library give parents access to their child's library records when their child has overdue or lost material?

Yes, according to state law, the confidentiality protection for library records is lifted when materials are overdue or lost.

Minors and Library Cards

Can the library require a parental signature before the library loans materials to their child?

No, Montana's constitution, Article II, Section 15, provides that minors have the same fundamental rights as adults unless specifically prohibited by laws that enhance the protection of minors. Such rights include the freedom of speech and the right to know. Because Montana law does not restrict a minor's use of the library, minors have the right to use the library without the permission of a parent.

Can libraries require that a parent be financially responsible for their child's use of the library?

Yes, according to state law, a minor may enter into a contract, such as agreeing to return library materials. However, the law also states that a minor can renounce a contract. Therefore, a minor may legally withdraw from a contract with the library. To mitigate this problem, libraries may require that a parent assume the financial liability for their child's use of library materials by requiring that a parent sign a statement of liability before their child receives a library card.

When registering a child to use the library, what can the library ask of parents?

The library may require that a parent verify their child's name, address, telephone number, and sign a statement that holds a parent responsible for the child's overdue or lost materials. The library should not require that the parent give permission for their child to use the library.