



## Policy 3.5 Penalties for Overdue, Lost, or Damaged Materials

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Revised 5/27/2010; 4/26/2012; 11/25/2013; 02/26/2015;  
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### 3.5 Penalties for Overdue, Lost or Damaged Materials

In order to provide a reasonable level of protection for library materials, and to insure that they are available for use by all patrons, NOLS imposes certain penalties for overdue, lost, or damaged library materials. Patrons are responsible for managing their own accounts. Failure to receive a notice or bill does not exempt the patron from charges.

#### 3.5.1. Blocked accounts.

A patron retains full library borrowing privileges as long as his/her library record is not blocked. A library record becomes blocked under the following circumstances:

- a. When the total amount of unpaid fines and fees, including accrued fines for overdue items currently checked out, exceeds \$25.00.
- b. When a patron's account includes six (6) or more unresolved "claims returned" or "claims never checked out" entries (entries indicating the patron claims to have returned an item but it was not checked in by the Library or the patron claims to have never checked out an item on their account) that occurred during a single three (3) year period.

Once a patron's library card is blocked, circulation privileges of physical materials for that patron are suspended, including borrowing and renewal of items. Patrons may continue to use all other library services, including NOLS e-book and online resources.

#### 3.5.2. Fines and Fees.

The library charges overdue fines as an incentive for patrons to return materials in a timely manner so that other patrons can have access to them. Rates are established by the NOLS Board of Trustees. See *Policy 4.2: Fee and charges schedule* for current fees and charges.

A seven (7) day grace period will be granted for overdue items, with the exception of tablets, interlibrary loans, and any other non-standard fine category items listed in Policy 4.2. If an overdue item is returned within this seven-day window, no fines will be assessed. If the item is returned eight days or more after the due date, each day of the grace period will be counted in assessing the fine.

A grace period of fifteen (15) minutes will be granted for In-house Use Tablets.

When charges for lost or damaged materials on a single record reach \$50.00 or more, the account is referred to a materials recovery (collection) agency. See section 3.5.4 below.

### **3.5.3. Charges for Lost and Damaged Materials.**

Items not returned within sixty-three (63) days of the due date will be assumed to be lost, and a bill for replacement and processing costs will be sent to the patron, except in the case of In-house Use Tablets. In-house Use tablets not returned within five (5) hours will be assumed to be lost, and a bill for replacement and processing costs will be sent to the patron.

Payments for lost items which are subsequently found, will be refunded if the item is returned directly to library staff in good condition (see section 3.5.5).

When an item is returned damaged to such an extent that the item is unusable, a bill for replacement and processing costs will be sent to the patron.

The replacement charge for lost or damaged-beyond-repair items will be based on the cost to replace that item. The library adds a processing fee to the cost of replacing a lost or irreparably damaged item to cover expenses associated with updating the database of holdings, physical processing, and other required handling of replacement items.

The replacement charge for Interlibrary Loans will be the amount determined by the lending library, plus NOLS' processing fee.

At the discretion of the Branch Manager, patrons may be allowed the option of clearing charges for a lost or damaged item by providing an acceptable replacement, and paying the processing fee. The replacement item must be in excellent condition, and acceptable to the Branch Manager and/or appropriate selector.

If a patron pays for or provides an acceptable replacement item within three (3) months of the item being declared damaged-beyond-repair, with the exception of e-readers, the patron may ask to keep the damaged-beyond-repair item at the time they pay for the item or provide an acceptable replacement.

The library reserves the right to impose a repair charge for damage to library materials and packaging, even if the damage does not render the item unusable. Charges for partial damage will be made at the discretion of the Branch Manager, appropriate to the nature and amount of the damage, and in accordance with the guidelines established by Policy 4.2: Fees and charges schedule.

### **3.5.4. Library Materials Recovery (Collection) Agency.**

The services of a library materials recovery agency are utilized to assist the library in recovering long overdue materials in order to maintain the integrity of the library's collection and ensure availability of materials to library users.

Accounts that have unpaid bills for lost or damaged material totaling more than \$50.00 for a period of twenty one (21) days or more will be referred to the materials recovery agency. A non-refundable \$10 service charge is added to the patron account when it is referred to the collection agency.

Once a patron account has been referred to the collection agency, all fines, fees and service charges must be paid in full before borrowing privileges can be restored, unless a payment plan has been negotiated with the Branch Manager. During the time the payment plan is in effect, the library will arrange for the collection agency to suspend collection activity. At the discretion of the Branch Manager, limited service may be restored during the time a payment plan is in effect. Failure to fulfill the terms of the payment plan will result in the account again becoming active with the collection agency, and limited service, if any, being blocked.

### **3.5.5. Refunds of Payments for Lost Materials which are Later Found**

If a patron has paid for a lost item, and later finds the item, the patron may request a refund of the replacement and processing charges, provided:

- a. the material is in good condition when it is returned to the library;
- b. the payment was not for replacement of an individual disc that was part of a set. Individual CDs and DVDs are the exception to the refund policy, because once the replacement charge has been paid, a replacement tape or disc is purchased to complete the set, and a single "lost" tape or disc which is subsequently found will not be of any use to the library;
- c. the payment was not for an interlibrary loan item.

Refund requests are processed promptly and mailed to the patron within four weeks of the receipt of the request.