

CITY OF LINCOLN ADMINSTRATION POLICY	NUMBER:
PREPARED BY: Kathryn Hunt	DATE: February 2, 2022
SUBJECT: Conservatees in the Library	AUTHORITY : Director of Library Services
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PURPOSE

The purpose of this policy is to clarify questions regarding the use of the Library facilities and collection by conservatees.

DEFINITION

“Conservatees” are adult persons whom a court has determined because of physical or mental limitations requires a conservator to handle their financial affairs and/or personal activities.

This policy refers only to conservatees who over the age of 18; conservatees under the age of 18 are included in the “Conservatees in the Library” policy.

“Guardians” are individuals with responsibility for conservatees. These typically include:

- Conservators of the person in question
- A person with actual or apparent responsibility over a conservatee.

POLICY

The Lincoln Public Library welcomes and encourages members of the public of all ages and abilities to visit our libraries and make use of the Library’s collections and services. Supporting conservatees is an important part of Library’s mission. This policy addresses issues related to conservatees in the Library and the responsibilities of staff, volunteers, and guardians.

Role of the Library

The Library provides resources and information that both entertain and educate all members of our community. We are committed to promoting a learning environment and to foster a love of reading and books. Staff are happy to assist conservatees in learning to use the Library, including searching the catalog and finding materials. The Library also supports guardians in learning about library materials and services, so that guardians can make informed choices regarding the use of the Library by their charges.

Staff cannot act in the place of the conservator. This means library staff cannot:

- Take responsibility for conservatees in the library.
- Restrict what conservatees access in the library

- Restrict what conservatees check out from the library
- Restrict what conservatees access on the internet, outside of the standard Internet Use Policy.
- Require conservatees to stay within the library or assess who is authorized to pick-up a conservatee.

Role of Guardians

Guardians play an important role in their charges' experience in the Library. They are encouraged to make the Library experience more enjoyable by being aware of their charge's reading activities and interests.

Only a guardian can monitor a conservatee's library use. This includes selection of materials and access to the internet. It is important to remember guardians are responsible for the conservatee's behavior and actions while in the Lincoln Public Library, whether they are present or not.

Unsupervised Use of the Library

The library takes great concern over the safety of all patrons. When a conservatee is left unattended at the library, staff or volunteers of the library cannot assume responsibility of the unattended individual. Therefore parents or those who possess legal custody of a conservatee should understand that the library cannot assure their conservatee's safety if left unattended.

Use of the library without supervision requires the following skills:

- The ability to independently observe the Library Code of Conduct
- The ability to independently navigate the layout of the Library
- The ability to communicate one's name, age, and the contact information for a guardian to a staff member.
- The ability to regulate one's emotions and behaviors in response to other patrons and library staff.

As such:

- Conservatees may use the library unsupervised for short periods of time if they possess the skills mentioned above. If there is any question as to a conservatee's ability or maturity to be left alone, a guardian must continue to accompany the conservatee at the library.
- The Library is not equipped or licensed to provide long or short-term care for conservatees, and it is not the role or responsibility of Library staff members to supervise conservatees. The Library is a public place and cannot provide any safety guarantees beyond that of other public spaces, and as such cannot be used as a replacement for supervised care.
- The Library is unable to restrict conservatees to specific events, areas of the library, or within the library. Unsupervised conservatees are able to move throughout the library and leave the library at will. Staff are also not responsible for assessing who may pick-up a conservatee from the Library.

Library staff have the right to ask anyone, including conservatees, to leave the library when their behavior becomes unacceptable and violates the Code of Conduct. If it is judged by staff to be in the best interest of the conservatee, the conservatee may also be released into the care of the Lincoln Police Department if a guardian cannot be reached.

Conservatees left unattended at closing may be released into the care of the Lincoln Police Department, if there is no indication that the conservatee has transportation to a safe location in the near future, a guardian cannot be contacted, and staff feel it is in the best interest of the conservatee.

Children's Area

Many materials in the Children's area of the Library are appropriate for and desirable to conservatees and other patrons over the age of 18. All patrons who are actively using the Children's collection are welcome to use the Children's area. Due to the large number of young patrons who use these materials, and out of concern for the safety of these young patrons, adults who are unaccompanied by a child or children in the children's area of the Library may be questioned by staff to ensure their use is in line with this policy.

Children's Events and Programs

For many conservatees with intellectual and developmental disabilities, programs and events marketed towards children are desirable to attend. Wherever possible, all patrons are welcome to participate in events and programs appropriate for their developmental level. Some programs, however, may be restricted by age, rather than developmental level, where the nature of the program requires it. Unless otherwise noted, guardians are required to attend the full duration of all programs and events with conservatees in their care.

For the safety of all parties, all Library staff and volunteers have a background check completed before beginning to work or volunteer in the Library. In addition, library staff and volunteers do not conduct 1:1 private programming with conservatees. All Library programs and events take place with multiple parties or in public, visible spaces.

Library Materials

All members of the public have free access to all Library material selected and placed in the collection. Placement of material within the Library is generally based upon assigned classification and appropriate age groupings. Some items need protection because of rarity, cost, susceptibility to loss or damage, fragility or format unsuited to heavy use. These items are often available by request only.

Any restriction of a conservatee's access to material is the responsibility of the parents or guardians, not library staff. The Library cannot act in the place of the conservator, thus staff cannot restrict access of Library material to conservatees. Please see Materials Selection Policy for further information.

Library Cards for Conservatees

Conservatees who reside in California are eligible for a library card, but a guardian must co-sign the account. All library cards provide the cardholder access to check out all circulating materials

within the collection. Library staff are unable to restrict the materials checked out by a conservatee.

When cosigning a library card application for a conservatee, the guardian may designate whether the card may be used to reserve library computers. If the account is eligible to reserve computers, staff are unable to restrict what conservatees access on the internet, outside of the standard Internet Use Policy.

When cosigning a library card application for a conservatee, guardians agree to teach the conservatee to abide by the Lincoln Public Library Cardholder Agreement. Guardians are also responsible for loss or willful damage of library materials checked out by conservatees in their care.

All library cardholders, including conservatees, are protected by state confidentiality laws regarding library accounts. Staff may only provide a guardian information concerning fees charged on the account. Staff may only reset the pin at the request of the cardholder.