Guideline 251 - Failure to Comply with Lending Guidelines

PURPOSE & SCOPE:

The Library has implemented the following procedures, fines, and fees in order to:

- Promote compliance with its lending policies;
- Ensure that library users return borrowed materials;
- Maximize availability/use for other library users.

By borrowing UMBC Library materials, borrowers assume full individual responsibility for the safe and timely return of those materials to the Library. This assumption of liability is implicit in the lending transaction, but under rare circumstances (high monetary value or risk), Library policy may require that the borrower sign an explicit acknowledgment of this assumption.

Materials owned by another USMAI library that are borrowed through the UMBC Library (i.e., the UMBC library functions as a pick-up point on behalf of the owning library) are subject to the lending policies, loan periods, and fines of the owning library. UMBC Library staff are neither authorized nor able to exempt borrowers from policies or fines for materials owned by another USMAI library.

FAILURE TO RETURN BORROWED MATERIAL:

1. Notices from the Library: While the Library sends appropriately timed notifications (such as overdue notices) as a courtesy to borrowers, non-receipt of notices does not excuse a borrower’s responsibility for the late return of materials or any fines incurred. It is the borrower’s responsibility to ensure that the library has accurate contact information on file. Updates to contact information may be made at the Circulation Desk.

   Borrowers may receive the following types of notices from the Library:

   a. Courtesy Notice

      E-mailed to borrowers to remind them of due dates. For materials with loan periods of less than 1 week (e.g. Circulating Equipment & Reserves), Courtesy Notices are not sent.

   b. Fine Notice

      Mailed to borrowers to notify them of fines that have accrued on their account. See Section 2 for more information regarding Fines.

   c. Lost Material Notice

      Mailed to borrowers to notify them that overdue materials have been declared LOST and the material replacement costs and processing fees have been placed on their account. See Section 3 for more information regarding Loss of or Damage to Library Materials and related fees.

   d. Bill Transfer Notice

      Mailed to borrowers who have not paid fines or fees within 30 days. See Section 5 for more information regarding payment of fines and fees.

2. Fines: Financial penalties called "overdue," "recall," "replacement," and "processing" fines are levied on borrowers who fail to return loaned materials on or before the due date or time assigned by the Library.

   The fines schedule below is established by the Director of the Library upon consultation with the Library Policy Committee, appropriate University officials, and other groups of constituents.

   a. General Collection Items (e.g. Books from the General Collection Shelves):

      $0.50 per item per day overdue fine to a maximum of $20.00 per item; fines under $2.00 are not charged.

   b. Media Items (e.g. DVDs, CDs & VHS tapes):

      $0.50 per item per day overdue fine to a maximum of $10.00 per item

   c. Circulating Equipment (e.g. Headphones, Cameras, Laptops)

      - 7-hour equipment loans (e.g. Headphones)
        $2.00 per item per hour overdue fine to a maximum of $10.00 per item
      - 1-day equipment loans (e.g. Laptops)
        $5.00 per item per hour overdue fine to a maximum of $100.00 per item
      - 3-day equipment loans (e.g. Cameras, Tripods)
        $10.00 per item per day overdue fine to a maximum of $70.00 per item

   d. Recalled Items: Items needed by other users may be recalled. Recalled General Collection items must be returned within 14 days or by the original due date, whichever is earlier. Recalled media items must be returned within 7 days.

      $2.00 per item per day recall fine to a maximum of $50.00 per item. This can be in addition to overdue fees if the item is not returned by the original due date.

   e. Course Reserves:

      - 3-hour and 7-hour reserves
UMBC charges on the amounts of penalties. The Library Director or designee will participate in mechanisms for the appeal of penalties and/or replacement costs assessed under this policy. This fee covers labor and materials costs of acquisition, accounting, cataloging or holding record revisions, labeling, for overdue items, and future borrowing may be limited or possibly cancelled. In addition, fines, as well as other fees, may also be charged by the lending institution which will be passed on to the requestor.

3. Loss of or Damage to Library Materials: After 30 days (earlier for short-term loans), the Library considers an overdue item to be lost and issues a bill for replacement. If a borrower loses Library materials (due to misplacement or theft), returns borrowed materials damaged, or can be shown to have damaged Library materials not on loan, the loss or damage must be compensated to the Library.

The fines schedule for lost or damaged library material below is established by the Director of the Library upon consultation with the Library Policy Committee, appropriate University officials, and other groups of constituents.

a. Replacement Fees: Replacement costs are actual or current averaged material prices and will vary according to the type of material. Replacement Fees will be canceled when an item is returned, unless the Library has already obtained a replacement copy; the bill for replacement has been transferred to the State’s Central Collections Unit, or the item is significantly damaged and cannot be returned to the collection.

- General Collection Items (e.g. Books from the General Collection Shelves)
  - $100.00 replacement fee plus processing fee (Section B)
- Media Items (e.g. DVDs, CDs & VHS tapes)
  - $150.00 replacement fee for DVDs & VHS tapes plus processing fee (Section B)
  - $100.00 replacement fee for CDs plus processing fee (Section B)
- Circulating Equipment (e.g. Headphones, Cameras & Laptops)
  - $150.00 replacement fee for 7-hour equipment loans (e.g. Headphones) plus processing fee (Section B)
  - $100.00–$700.00 replacement fee for 3-day equipment loans based on equipment type (e.g. Cameras, Tripods) plus processing fee (Section B)
  - $1900 replacement fee for Laptops plus processing fee (Section B)
- Locker Keys
  - $50.00 replacement fee (which includes the processing fee)
- Study Room Keys
  - $50.00 replacement fee (which includes the processing fee)

b. Processing Fees: This fee covers labor and materials costs of acquisition, accounting, cataloging or holding record revisions, labeling, record keeping and materials.

- A $35.00 per item processing fee is assessed for library materials billed a replacement fee. This processing fee will be canceled when an item is returned unless: the Library has already obtained a replacement copy; the bill for replacement has been transferred to the State’s Central Collections Unit, the item is significantly damaged and cannot be returned to the collection; or the item was borrowed from the Reserves collection

**NOTE:** The Library may approve a replacement item provided by the borrower. Please contact us using the Replace an Item form. Borrower should not purchase a replacement copy until the Collection Management Librarian is consulted. The $35.00 processing fee will be assessed unless the Collection Management Librarian or the Circulation Manager approves a reduction of the fee.

c. Comptroller’s processing fee for charges transferred to the Bursar’s office: After 30 days, amounts owed to the Library are transferred to the UMBC Student Business Services and an additional fee is assessed.

- $5.00 per notice bill transfer fee

Replacement and Processing Fees are re-established periodically by the Director of the Library or designee, while the University Comptroller establishes the Comptroller’s fee independently.

4. Appeal mechanism(s): Mechanisms for the appeal of penalties and/or replacement costs assessed under this policy are established by the Director of the Library in consultation with the Library Policy Committee and with regard to University and State policies/laws.

Patrons may appeal to the library for a review of penalties or costs levied against them by submitting the online Fine Appeal Form, found here: https://library.umbc.edu/media/appeal/

If the item(s) has already been returned, but remains on the patron’s library account, a “Claims Returned” can be filed at the Circulation Desk, after which the appeal will be reviewed in accordance with the Claims Returned Procedure (Guideline 255).

If such a review(s) is unfavorable or not granted, the borrower (if a UMBC student) may appeal to the UMBC Judicial Board for a review of the case. Said review may rule on the levying of penalties, not on the amounts of penalties. The Library Director or designee will participate in the Judicial Board Hearing. The UMBC Judicial process may also be employed to enforce payment of assessed penalties upon enrolled students [reference UMBC Student Conduct Code, V-H].

5. Collection of Fines and Fees: Monies owed to the Library under this policy are payable at the Circulation Desk for up to 30 days after the original billing date. Fines and fees can be paid in person at the Circulation Desk by Campus Card, credit card, or check. Fines and fees can also be paid by check via regular mail at the address below. The Library is not able to accept cash for payment of fees.

Albin O. Kuhn Library
UMBC
1000 Hilltop Circle
Baltimore, MD 21250
Phone: 410-455-2354
Fax: 410-455-1153
Email: circlib-group@umbc.edu
After 30 days from the original billing date, fines and fees must be paid to the UMBC Bursar’s Office (to whom additional processing /collection fees will be due) at the address below. [See Library policy 314 for disposition of receipts collected under this policy.]

Student Business Services
UMBC
1000 Hilltop Circle
Baltimore, MD 21250
Administration Building, Third Floor Rm. 302
410-455-2288

Questions about Library Fees
Call 410-455-2354 and ask to speak with the Billing Manager, or e-mail circlib-group@umbc.edu.

UNAUTHORIZED REMOVAL OF MATERIAL

Removal or attempted removal of library materials or parts thereof from the Library premises without having obtained the authorized loan of said materials (in keeping with Library policies and procedures) may constitute theft or attempted theft of State property [reference Annotated Code of Maryland 23-408 “Theft or mutilation of books or other property” and UMBC Student Conduct Code, V-E]. In accordance with University policies and State or federal law, the Library Director or designee will take steps commensurate with the apparent severity of such alleged crimes to prosecute and seek appropriate restitution from offenders. Appropriate jurisdictions include the UMBC Judicial process (UMBC Student Conduct Code, II), and State or federal courts of competent jurisdiction. Prosecution in one jurisdiction does not preclude action in another as permissible by law.

Specific policies and procedures concerning prosecution of theft, attempted theft, and mutilation of library materials are summarized in Library Guidelines 431 and 432.

REVOCATION OF BORROWING PRIVILEGES:

The Director of the Library may revoke or suspend an individual’s borrowing privileges for failure to comply with lending policies. Behaviors warranting revocation or suspension of borrowing privileges include: accrual of excessive outstanding fines or bills for replacement; pattern of abuse of borrowing privilege; or egregious violation of lending policies, theft, mutilation, etc.

References: Library Policy Committee meeting minutes 4/20/83 [fines]; 1987-88 [appeals] B. Auchter memo to UMBC faculty 10/6/92 [recalls] and additional citations in policy text UMBC Student Conduct Code: http://www.umbc.edu/spj/articles/code.html

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