

**WHITE LAKE  
COMMUNITY LIBRARY**

**LIBRARY POLICY MANUAL**

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**WHITE LAKE COMMUNITY LIBRARY  
POLICY MANUAL**

**1000 Philosophical Foundations of the Library**

**1001 Mission Statement**

The White Lake Community Library as a cultural destination will lead the community to the world's information and ideas and be the link for enrichment, entertainment and life-long learning.

**1002 Library Bill of Rights**

The library endorses the Library Bill of Rights, which follows:

The American Library Association affirms that all libraries are forums for information and ideas and that the following basic policies should guide their services:

- I. Books and other library resources should be provided for the interest, Information and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background or views of those contributing to their creation.
- II. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.
- III. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.
- IV. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.
- V. A person's right to use a library should not be denied or abridged because of origin, age, background or views.
- VI. Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.

**1003 Freedom to Read**

The library endorses the following Freedom to Read statement of the American Library Association

The freedom to read is essential to our democracy. It is continuously under attack. Private groups and public authorities in various parts of the country are working to remove or limit access to reading materials, to censor content in schools, to label "controversial" views, 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 These actions apparently rise from a view that our national tradition of free expression is no longer valid; that censorship and suppression are needed to avoid the subversion of politics and the corruption of morals.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 reading and as librarians and publishers responsible for disseminating ideas, wish to assert the public interest in the preservation of the freedom to read.

Most attempts at suppression rest on a denial of the fundamental premise of democracy: that the ordinary citizen, by exercising 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 misinformation and to make their own decisions about what they read and believe. 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.

These efforts at suppression are related to a larger pattern of pressures being brought against education, the press, art and images, films, broadcast media and the Internet. 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 accelerated change. 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 controversy and difference.

Now as always in our history, reading is among our greatest freedoms. The freedom to read and write is almost the only means for making generally available ideas or manners of expression that can initially command only a small audience. The written word is the natural medium for the new idea and the untried voice from which come the original contributions to social growth. It is essential to the extended discussion that 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 toward conformity present the danger of limiting the range and variety of inquiry and expression on which our democracy and our culture depend. We believe that every American community must jealously guard the freedom to publish and to 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 readers to choose freely from a variety of offerings. The freedom to read is guaranteed by the Constitution. Those with faith in free people 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 that are unorthodox or unpopular with the majority.

Creative thought is by definition new, and what is new is different. The bearer of every thought is a rebel until that idea is refined and tested. Totalitarian systems attempt to maintain themselves in power by the ruthless suppression of any concept that 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 nonconformist 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, librarians and booksellers do not need to endorse every idea or presentation they make available. It would conflict with the public interest for them to establish their own political, moral or aesthetic views as a standard for determining what 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 can read should be confined to what another thinks proper.
3. It is contrary to the public interest for publishers or librarians to bar access to writings on the basis of the personal history or political affiliations of the author.

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 people can flourish that draws up lists of writers to whom it will not listen, whatever they may have to say.

4. There is no place in our society for 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 expression is shocking. But is not much of life itself shocking? We cut off literature at the source if we prevent writers 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, values differ and values cannot be legislated; nor can machinery be devised that will suit the demands of one group without limiting the freedom of others.

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

The ideal 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 individuals must be directed in making up their minds about the ideas they examine. 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 individuals are 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 to 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 and diversity of thought and expression. By the exercise of this affirmative responsibility, they 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 the reader cannot obtain matter fit for that reader's 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 the freedom to read requires of all publishers and librarians 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 the written word. We do so because we believe that it is 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.

Adopted June 25, 1953; revised January 28, 1972, January 16, 1991, July 12, 2000, by the ALA Council and the AAP Freedom to Read Committee.

A Joint Statement by: American Library Association and Association of American Publisher

Subsequently Endorsed by:

American Association of University Professors; American Booksellers Foundation for Free Expression; American Society of Journalists and Authors; American Society of Newspaper Editors; Anti-Defamation League of B'nai B'rith; Association of American University Presses; Center for Democracy & Technology; The Children's Book Council; The Electronic Frontier Foundation; Feminists for Free Expression; Freedom to Read Foundation; International Reading Association; The Media Institute; National Coalition Against Censorship; National PTA; Parents, Families and Friends of Lesbians and Gays; People for the American Way; Student Press Law Center; The Thomas Jefferson Center for the Protection of Free Expression.

#### **1004 Relationship to Friends of the Library**

The library recognizes the value, importance and considerable assets of the Friends of the Library or other groups that may, from time to time, emerge in support of the library's mission. The library board welcomes and supports such initiatives for the service of this community.

The purposes of the Friends or other support groups are as follows:

1. To solicit and appeal for funds to support the White Lake Community Library to provide extra opportunities for the improvement or benefit of the library over and above those already provided to meet the general operating needs of the library.
2. To work with the library to secure additional resources in program, projects, special collections, or events which enhance the cultural, literary and aesthetic aspects of the library.
3. To maintain autonomy in governance and direction in support of the library and to maintain communication with the library director in fostering these ends.

The Friends or other such advisory groups are intended to enjoy genuine operational autonomy while working in partnership with the library. It is recognized that in using the name of the library or any of its programs, the Friends or other organizations derive an identity from the library itself and as such share the responsibility with the board of the library for the welfare of the library. Further, the board must remain accountable to the public and maintain its responsibility for the over-all direction of the library and any organization acting in its name. If circumstances warrant, it may be required that the board withdraw its sponsorship from an organization for violation of community trust or for acting in any way that does not carry out the mission of the library.

Any group acting with the name of the library will be asked to obtain prior approval of the library director when it begins and thereafter operates in a manner consistent with public expectations of the library, and in direct communication with the director.

The library board pledges its support and applauds the volunteer efforts of the White Lake citizens who seek to enhance the mission of cultural and literary goals of the community. It further welcomes the Friends of the Library in this policy. The board directs that it will cooperate and maintain communications with the Friends of the Library and other such approved organizations.

#### **1005 Relationship to Other Libraries**

The White Lake Community Library is a member of the Lakeland Library Cooperative, a public library consortium of libraries in Allegan, Barry, Ionia, Kent, Montcalm, Muskegon, Newaygo and Ottawa counties, meeting the following requirements:

- 1) maintaining a minimum local support level of 3/10 of a mill on taxable value, in the fiscal year before October 1 of the year before distribution;
- 2) participating in the development of cooperative library plans;
- 3) loaning materials to other libraries participating in Lakeland Library Cooperative;
- 4) maintain an open door policy to other residents of the state as provided in the 1963 State Constitution.

The library participates in reciprocal borrowing with other cooperative members and encourages the use of its facilities and resources for residents of other member libraries' service areas.

The library does not participate in MichiCard, a statewide program allowing for customers of participating libraries to use their MichiCard to borrow materials from the collections of other MichiCard participating libraries.

The cooperative provides services to member libraries directly or through written contract. The following are basic services, for which there may or may not be fees levied to member libraries:

- 1) automated shared database and circulation system;
- 2) delivery system between member libraries so that each library receives delivery at least 3 days per week.

White Lake Community Library currently receives delivery Monday through Friday each week.

The cooperative also provides technical support, continuing education opportunities, consultant services and professional collection, web site assistance, and centralized purchasing operations

## **2000 Circulation Policy**

### **2001 Confidentiality of Customer Records**

The White Lake Community Library respects the privacy of card owners to the fullest extent permitted by law. It will not disclose to anyone other than the card owner or the person liable (for example, a parent or legal guardian) information on the items requested, obtained or borrowed from this library or any other library, without an appropriate court or agency order or warrant.

The Michigan Library Privacy Act prohibits disclosure to all third parties, except as provided in MCL 397.603 (2), which states "Unless ordered by a court after giving the affected library notice of the request and an opportunity to be heard on the request, a library or an employee or agent of a library shall not release or disclose a library record or portion of a library record to a person without the written consent of the person liable for payment for or return of the materials identified in that library record." In addition, and in certain circumstances, the US Patriot Act, P.L. 107-56, supersedes the Michigan Library Privacy Act and disclosure of library records is mandatory pursuant to an appropriate federal agency order or warrant. Such federal order or warrant may also require the library to refrain from notifying the customer of the disclosure.

The White Lake Community Library shall not release another Lakeland Library Cooperative member library's records to any third party, except as provided above. The customer records of the White Lake Community Library belong to the Library.

As a member of the Lakeland Library Cooperative, the Library's policy shall at a minimum meet the requirements of the Cooperative's Confidentiality of Customer Records policy. The Cooperative serves as a resource for these issues. The Library is responsible for training and equipping its staff to deal with confidentiality issues.

### **2002 Resident Library Cards (corrected 6-24-2015)**

Persons living within the boundaries of the library district or of Muskegon County may register for a free library card at the library. (See policy 2003 on non-resident library cards.)

Customers are responsible for all use made of their library cards. Customers agree to abide by all policies of the library in using their library cards. It is the responsibility of the customer to notify the library of change of address, name, or phone number. Customers will be allowed one checkout without their library card within a 12 month period.

Persons registering for a library card must complete an application form and show identification with their current address. Preferred identification is a Michigan driver's license or Michigan identification card. In lieu of these items two pieces of the following will be accepted, provided they show the person's current address:

- Voter registration card
- Hospital or insurance card
- Personal check
- Current utility bill



An out-of-state driver's license in combination with one of the above is also acceptable.

Persons under the age of 18 must have a parent's or legal guardian's signature and identification of the responsible adult as described above. Application cards must be filled out at the library and will not be sent home with a child for the parent to sign.

Library cards expire and are purged if they have not been used or have no transactions valued at over \$5 outstanding on them within three years.

If a library card is lost, the cost for the replacement combo cards (keychain card and wallet card) is \$2.00.

### **2002.5 Institution/Organization Library Card**

In order to provide library services to as many people in our library's area as possible, institutional/organizational library cards will be issued to daycare providers, pre-schools, nursing homes and other organizations within the library's service area when one of the following requirements is met:

1) Either an individual representing the organization presents the proper identification to register as a library customer and signs a registration form accepting financial responsibility for any and all fines and lost and/or damaged materials checked out by the institution/organization.

Or,

2) The director or financial officer of the institution/organization submits a signed and dated request for an institutional/organizational library card to the library on official letterhead. The request must include the following information:

- a) The name(s) of the designated individual(s) allowed to use the card on the institution's/organization behalf; and
- b) Agreement to pay the library when billed for any materials that have been either damaged or not returned to the library within 63 days of the original checkout. Materials overdue for longer than 63 days may be cause for withholding further circulation privileges until the material is either returned or the library is reimbursed for the material.

Institution/organizations will be charged the overdue charges on all overdue materials, as outlined in section 2007 - Fines for Overdue Materials of the library's policy manual. Inter-loans will be permitted on institutional/organizational cards.

Violation of this policy may result in suspension or revocation of an institutional/organizational card and circulation privileges.

### **2003 Non-Resident and Summer Resident Cards**

As a member of the Lakeland Library Cooperative, the library must abide by the cooperative's policy regarding the issuing of cards to non-residents. The cooperative's policy went into effect on October 1, 2001, and defines a non-resident as one living outside of the legal or contract service area of a Lakeland member library participating in the shared system. All non-resident cards run from January 1 through December 30 each year.

#### **Prorated Cards: (Updated 1-27-2016)(Updated 4-26-2017)**

If the card (**pink**) is purchased **after January**, it is **valid from the current month in which it is purchased** thru December 31<sup>st</sup> of the current year and the fee is prorated as follows:

January	\$42	July	\$21
February	38.50	August	17.50
March	35	September	14
April	31.50	October	10.50
May	28	November	7
June	24.50	December	3.50

Summer resident cards may be purchased from June 1 through September 30 (June, July, Aug., and September) at the cost of \$14.

Summer residents, whose primary residence is outside the Lakeland service area boundaries but who own property within the cooperative boundaries may receive a permanent library card. To do so, they must present a tax bill verifying that they own property within the library boundaries or in Muskegon County. A picture ID with their winter address will also be required.

Persons who reside outside Muskegon County, but within the Lakeland Library Cooperative boundaries must obtain a library card at their home library. That card may then be used at the White Lake Community Library.

Customers with White Lake's non-resident cards are not able to place holds on items owned by other libraries.

### **2003.5 School of Choice Students (Updated 1-27-2016)**

For students who have the Whitehall schools as their "School of Choice" but who do not live in the Lakeland service area and do not live within the Whitehall School District, the Library will issue, to the student only, a Non-resident library card upon presentation of their Whitehall school ID or proof from the school that they attend Whitehall schools. The non-resident card fees will be waived for the student and cards will be valid for one year, renewed annually while the student is still enrolled. A message will be placed on the student's record stating they were given the card and the fee was waived along with the date and initials of issuing staff member.

### **2003.6 Unserviced Customers (Updated 1-27-2016)**

Residents of un-served areas are charged an amount equal to the average amount of what property owners of the library district pay annually for library services.

### **2004 Checkout Periods**

The following checkout periods are in effect:

3 weeks	all books, CDs (music and book), audio tapes, MP3s
1 week	VHS tapes, DVDs
1 week	magazines (current issues of magazines do not circulate)
1 week	juvenile backpack kits

### **2005 Renewals**

Library materials may be renewed once for the same length of time as the original loan, provided no other customer has a reserve for the same material.

Renewals may be made in person, by telephone or by computer.

Overdue fines (over \$10.00) must be paid before a renewal can be completed.

Exception to renewal policy: When a local school class is working on a particular subject matter, materials may not be renewed so that as many students as possible have access to the material.

### **2006 Overdue Materials**

Customers are notified two weeks after materials become overdue. Customers having overdue library materials will be notified either by telephone or mail (first notice), mail for all customers (final and billing notices.) Those on e-mail notification will be notified 2-3 days before their materials are due.

If materials are not returned, a final notice is sent two weeks later. Customers with outstanding materials on their cards will not be able to use their cards until the materials are returned or until the charges on the card are below \$10.00.

After 63 days, customers with a combination of \$40.00 or more in outstanding materials and overdue fines will be sent to Unique Management Services, Inc., as per Lakeland Library Cooperative board policy.

An \$8.95 processing charge from Unique is added to the customer's account for which the customer is responsible.

### **2007 Fines for Overdue Materials (Revised 11-28-2018)**

Overdue items are fined 15 cents per day per item, excluding days the library is closed. The maximum for books, etc. is \$4.95 per item. The exception is for DVDs with the fines remaining at \$1.00 per day per DVD. The maximum fine per DVD item is \$10.00.

Audio tapes, CDs (books and music,) DVDs and juvenile backpacks will not be checked in until all of the components have been returned. The customer is responsible for any/all fines incurred. Customers are encouraged to use the book drop when the library is closed, even if their items are overdue. Fines will stop once the items are checked in and fines may be paid later.

When a customer's unpaid overdue fines reach a total of \$10.00, no further materials may be checked out until the amount owed is reduced below \$10.00. The customer will set up a payment plan to be approved by the circulation manager. (See form following.) Customers who are on a payment plan will not be allowed to check out materials until their fines are below the \$10.00 limit.

See Payment Plan Form in Forms and Procedures at the end.

Bankruptcy (added 11-21-18) - When a patron who owes fines and/or fees goes through bankruptcy and produces the declaratory judgement from a bankruptcy magistrate, the library must forgive the fines and/or fees and allow the patron service. If prior to the declaratory judgment the patron had failed to return library material, the library may limit the patron's borrowing privileges until the missing library material is returned. If the patron accumulates new fines and/or fees or fails to return library material, the library may also limit the patron's future borrowing privileges.

### **2008 Claims Returned Items**

Claims returned status may be placed on items that the library is unable to find and the customer is certain have been returned. A customer is allowed a maximum of *three claims returned* items on their library card in a one-year period, and is not eligible for a new library card during that time period if the maximum number of *claims returned items* has been reached. A *claims returned* status on the library card means that the customer is not responsible for payment of the missing items. If the item is located, the customer becomes responsible for any/all fines incurred. A message on the customer's card will indicate if there is a *claims returned item*.

**2009 Lost or Damaged Materials (revised 2-25-2015; 4-26-2017)**

Customers are responsible for all items checked out on their library cards. The following charges are made for materials which are lost or so badly damaged they cannot be used:

Cost of Item	Price for lost or badly damaged items
\$1.00	Missing bar code
\$1.00	Damaged or missing cover
\$1.00	Torn or missing page (per page)
\$4.50	Damaged or missing plastic bags (DVD book kits)

When lost materials are paid for, the library issues a receipt. Should the customer find and return the item within three months, reimbursement of the price of the item, minus the overdue charge, will be given to the customer. The customer must present the receipt to qualify for reimbursement on items owned by other libraries.

**2010 Audio Tapes. VHS Tapes. DVDs, CDs, MP3s and Vitality Kits (Revised 4-26-2017)**

The library is not responsible for damages incurred to the customer's own equipment during the use of library-owned materials. Customers are requested to return videos and audio tapes directly to the circulation desk, rather than using the book drop when the library is open.

**Audio Tapes**

The following charges are made for damages to audio tapes:

\$2.00	Damaged or missing plastic box
Price of tape	Lost or damaged tape

The whole set must be replaced when a portion of the set is lost or damaged.

**VHS tapes and DVDs**

VHS tapes and DVDs are checked out for one week. There are no rental fees for VHS tapes. Overdue fines are as follows:

VHS tapes are \$.15 a day  
(movie) DVDs are \$1.00 a day  
Non-fiction DVDs are \$.15 a day  
\$10.00 being the maximum overdue fine to incur per overdue VHS tape or DVD.

Charges for damage to VHS tapes and DVDs are as follows:

\$2.00	Damaged or missing box
Price of VHS or DVD	Damaged or lost VHS or DVD

**Books on CD (revised 2-25-2015)**

Books on CD are checked out for three weeks. There is no rental fee. Overdue fines are \$.15 a day per CD title. Charges for damages to books on CD per title are as follows:

\$6.50	Small case (holding 1-12 CDs)
\$11.00	Large case (12-24 CDs)
\$18.85	Extra Lg. (30 CDs)
Price of CD	Damaged or lost CD

## **Music CDs and MP3s**

Music CDs and MP3s are checked out for three weeks. There is no rental fee. Overdue fines are \$.15 per CD. Charges for damages to CDs are as follows:

\$2.00	Damaged or missing boxes
Price of CD	Damaged or lost CD

## **Vitality Kits** *(added 4-26-2017)*

Vitality Kits are checked out for 1 week with no renewals. There is no rental fee. Overdue fines are \$.15 a day per kit with a maximum charge of \$4.95. Charges for damages to kits:

Vitality Kits are individually priced and charges are for each item damaged or lost.

## **2011 Deposit on Headphones for Internet Use**

Customers wishing to use library headphones at the Internet computers will be required to leave a school ID, library card or driver's license as a deposit at the circulation desk.

## **2012 Non-circulating Materials**

The following materials are among the library resources that do not circulate outside the library. They must be used in the library.

- Reference books
- Current issues of magazines
- Archived newspapers
- Local history materials
- Children's equipment and toys
- Meeting room equipment
- Library furniture
- Laptops
- Children's tablets

Customers desiring to use irreplaceable non-circulating materials such as local history materials, yearbooks and newspapers on microfilm and CD will be required to fill out a release form. See In-Library Use Form.

Damage or loss will be considered as vandalism and reported to the proper authorities. (See also 4004.)

See Form for Irreplaceable Materials in Appended Forms and Procedures at the end.

## **2013 Hold**

Materials owned by the library or other libraries in the Lakeland Library Cooperative may be placed on hold, with the exception of DVDs and new books (owned for 6 months or less). This library's AV and new books may be placed on hold by White Lake Community Library customers with SW as their home library.

Reserves may be placed by customers in person, by telephone or on-line. Customers are encouraged to sign up for e-mail notification through the library's website ([whitelakelibrary.michlibrary.org](http://whitelakelibrary.michlibrary.org).)

White Lake customers are able to designate any Muskegon Area Library branch, Hackley Public Library, or White Lake Community Library as their designated home library. Holds on new books or AV must be placed and picked up at their designated home library.

## 3000 Building and Grounds

### 3001 Library Hours

The hours the library is open are:

Monday	10 a.m. to 8 p.m.
Tuesday	10 a.m. to 8 p.m.
Wednesday	10 a.m. to 8 p.m.
Thursday	10 a.m. to 8 p.m.
Friday	10 a.m. to 5 p.m.
Saturday	10 a.m. to 5 p.m.

If the hours are changed, permanently or temporarily, the change will be posted at the library and published in the White Lake Beacon for a sufficient length of time to make the community aware of the change.

### 3002 Library Calendar

The Library is closed on the following days:

- New Year's Day
- President's Day (*library closed, staff works*)
- Spring Holiday (*Friday before Easter*)
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day
- Friday after Thanksgiving
- Christmas Eve Day
- Christmas Day
- New Year's Eve Day
- One other work day to be determined by the Director

When a holiday falls on a day the library is normally closed, the library will also be closed on an adjacent business day.

### 3003 Inclement Weather and Non-scheduled Closings (*revised 2-25-2015*)

In the case of severe weather, the library closes. The library may be closed irregularly on a non-scheduled basis in special circumstances. Notice of non-scheduled closings will be posted on the library's telephone message, website, radio/TV stations and on the library's front doors. If the Whitehall District Schools are closed due to weather, all morning story times will also be cancelled. If students are sent home early due to weather, all after school and evening programs will be cancelled.

### 3004 Patron Behavior Rules and Procedures for Violations (*revised and added 6-24-2015*)

In order to provide a safe, clean and comfortable environment for every person who visits the Library, the Library Board has adopted the rules below for all persons who use Library facilities and services and has adopted the procedures below for violations of these rules.

#### Rules for Patrons:

Anyone on Library property is expected to conduct him/herself in a manner appropriate for a public library. The following activities are prohibited on Library property:

1. Any activity that endangers or threatens the health, safety and welfare of any person on Library property, by word or act, or interferes with the ability of persons to use the Library in a safe and non-threatening environment, including intimidation or harassment.
2. Any activity which violates a local ordinance or State or Federal laws or regulations.
3. Any activity which damages, alters, defaces or destroys Library or other persons' materials or property or improper removal of same.
4. Being in a state of intoxication or otherwise under the influence of alcoholic beverages or controlled substances.
5. Any activity that violates the Library's Internet and Computer Policy.
6. Poor personal hygiene so offensive that it constitutes a nuisance to other patrons or Library staff or otherwise interferes with the use of the Library by other patrons or Library staff.
7. Possessing or consuming food except in the Coffee Connection or the meeting rooms.
8. Possessing or consuming beverages unless the container has lids or caps except that no beverages in any container shall be permitted around any computers.
9. Possessing or consuming alcoholic beverages or controlled substances.
10. Use of any tobacco products or e-cigarettes inside the Library building.
11. Bringing animals into the Library or entrance area, except service animals for persons with disabilities or animals used in Library-sponsored programs.
12. Disturbing the quiet of the Library, other persons or Library staff by loud, profane, obscene, intrusive, harassing or aggressive conduct or language toward anyone in the Library.
13. Not wearing shirts and shoes, or use of footwear with wheels, skateboards, roller blades or similar sports equipment.
14. Commercial use of photography, film or television equipment without prior permission of the Library Director or the Assistant Director in the Director's absence (except such activities by news media). Casual amateur photography or video taken by patrons of family and friends is permitted provided that it does not interfere with operations of the Library or capture identifiable likenesses of individuals without their permission. Patrons are responsible for securing necessary releases for any casual amateur photography or video taken in the Library.
15. Solicitations of any kind inside the Library building or within ten (10) feet of the Library entrance (including solicitations for petition signatures, money, donations, or goods or services of any kind), interviewing, survey taking or the distribution of written materials or literature except as permitted under the Library's Bulletin Board Policy. Library staff may take surveys, interview patrons or distribute written materials when necessary for Library matters.
16. Sleeping in the Library.

In addition, patrons wishing to make and/or receive cell phone calls while in the Library must be respectful of other persons using the Library. Phones must be set to vibrate rather than ring and calls are to be made and/or received only in the Library's lobby (foyer.)

If a patron engages in any activity prohibited by these rules, Library staff members will proceed as provided in Section B. below.

## Procedures for Violations:

Library staff members are responsible for enforcing the rules of the Library. If the person violating them is a minor (under age 18) the person's parent or guardian will be notified.

### 1. First Violation:

If a Library staff member observes a violation of these rules, he/she:

- a. Shall advise the person violating a rule that the observed activity is prohibited.
- b. Shall request the person to stop the prohibited activity.
- c. Shall advise the person that further violations may result in loss of Library privileges.
- d. May request the person to give his/her name, address and phone number.
- e. May request the person to leave the Library for the day.
- f. Shall complete a Written Incident Report and submit it to the Director.

The Library reserves the right to suspend Library privileges for the first violation, depending on the severity of the violation, to protect patrons, Library staff and Library property. The Library may also suspend Library privileges if the patron's behavior involves:

- 1) Refusal to stop prohibited activity; or
- 2) Use of loud, intimidating or threatening language in response to staff request to stop the activity; or
- 3) Any form of violence, destructive behavior or threat of same in response to staff request to stop the activity.

Any suspension of Library privileges shall be issued in writing by the Director.

### 2. Subsequent Violations:

If a Library staff member observes a person violating these rules who has had a previous violation of the rules within the previous one (1) year (as documented by a Written Incident Report), he/she will follow procedure in B.1.a-f described above for a first violation and in addition the Director may suspend the Library privileges of the person who committed a subsequent violation for a period up to six (6) months. The Library reserves the right to suspend Library privileges for longer periods, depending on the severity of the violation, to protect patrons, Library staff and Library property. The Library may also suspend Library privileges for up to six months if the second violation includes:

- a. Refusal to stop prohibited activity;
- b. Use of loud, intimidating or threatening language in response to staff request to stop the activity; or
- c. Any form of violence, destructive behavior or threat of same in response to staff request to stop activity.

Any suspension of Library privileges will be issued in writing by the Director

### 3. Additional Penalty Procedures

- a. Notwithstanding the specific periods of suspension of Library privileges set forth above, the Library reserves the right to terminate Library privileges on a permanent basis for any violation, depending on the severity of the violation, to protect patrons, Library staff and Library property. Any such termination of Library privileges will be issued in writing by the Director.
- b. A person's presence on Library property during any suspension or termination is considered trespassing.
- c. Written Incident Reports will be retained for each violation but will be expunged after five (5) years.



## Appeals From Disciplinary Actions

1. A person whose Library privileges have been suspended or terminated by the Director may appeal to the Library Board. The appeal must be in writing and include the persons' name, address, date/time of violation, violation type, the reason for the appeal, and the person's signature. The Library may provide a standard form for an appeal.
2. An appeal must be filed with the Library Director within five (5) business days of receiving notification of the suspension or termination.
3. Upon the proper filing of an appeal, the Library Board will hear the appeal at the next regularly scheduled board meeting and render a final decision.

## **3005** Safety and Well-Being of Children

The library encourages young children to visit the library and feels that children need to see that the library is an enjoyable place to visit from the time they are very young. Because of this, it is our desire to make the child's visits to the library both anticipated and memorable.

The library staff is not expected to assume responsibility for the care of unsupervised children or teens in the library. Children, 6 years or under, must be accompanied by a parent or designated person responsible for the child's behavior and welfare while in the library.

If the young child is attending story time in the library at closing time, staff on duty will call the child's home and wait in the library until the child is picked up. Staff will not take the child away from the library grounds.

If no one responsible for the child can be located within 15 minutes after closing, the Whitehall Police will be notified to take custody of the child and a note will be left on the library door notifying the parents (guardians) of the child's location.

## **3007** Health Emergencies

In the event of a serious health problem of a customer, the library staff will notify the rescue squad/police. No medication, including aspirin, will be dispensed to the public. Staff will gather information regarding the customer and the nature of the emergency from the person or family member for completion of a personal injury form.

See Personal Injury/Incident Form in Appended Forms and Procedures at the end

## **3008** Public Internet Access *(revised 2-25-2015; 12-19-2018)*

The mission of the White Lake Community Library is to serve as an information center by providing pertinent and high interest materials for adults and children in a variety of formats, including online resources. Making Internet access available to the area by encouraging computer use by area residents supporting research and education through the use of computer technology is a vital part of this mission statement.

The library staff will provide limited assistance to those customers who have never used the Internet or for those who have specific questions regarding the Internet. Staff is not responsible for providing training beyond this level. Since staff is not expected to be familiar with numerous Internet sites, it is up to the users to gain familiarity with applications through books, videos and related materials. Any equipment problems should be reported to staff immediately.

Customers are free to access a variety of Internet sites and must take responsibility for their activities. The White Lake Community Library has no control over the Internet and does not assume responsibility for the quality, accuracy or currency of any Internet resource. Customers will be advised that the White Lake Community Library employs filtering software on the Internet server and subscribes to the American Library Association Resolution On the Filtering Software in Libraries adopted on July 2, 1997: (<http://www.ala.org/Template.cfm?Section=ifresolutions&Template=/ContentManagement/ContentDisplay.cfm&ContentID=78171>).

Neither the White Lake Community Library board members or staff shall be liable for any damages (direct or consequential), including lost profits, for any information obtained or provided on the Internet. Users would be well advised to evaluate Internet sources in the same way as they would evaluate printed sources and question the validity of information provided.

**Customers shall not access, produce or distribute obscene materials.** It is the responsibility of library staff to respect the rights of other library users, and they reserve the right to end an Internet session at any time if they believe that the viewing of particular materials is improper or inappropriate as to time, place or manner.

"Obscene" means any material that meets **all** of the following criteria:

- a) The average individual, applying contemporary community standards, would find the material, taken as a whole, appeals to a shameful or morbid interest in nudity, sex, or excretion.
- b) The reasonable person would find the material, taken as a whole, lacks serious literary, artistic, political, or scientific value.
- c) The material depicts or describes sexual conduct in a patently offensive way.

It is up to the responsible adults and **NOT** the library staff to supervise access to Internet sites by minor children, in the same manner as they would for the use of books, magazines, videos or other materials. Children under 10 years of age must have direct supervision by a responsible adult at all times while accessing the Internet on desktop computers. Library staff reserves the right to monitor computer use by children as well as adults and to end Internet sessions for the reasons previously noted.

To properly manage the use of computer equipment, the White Lake Community Library Board has adopted the following rules and regulations, and has entrusted the library staff with the responsibility of enforcing these regulations. Customers who violate these rules and responsibilities will be denied access to the equipment, as designated by the Library Director.

Internet access may only be used for legal and ethical purposes. Unacceptable purposes include, but are not limited to: accessing, producing or distributing obscene materials, harassment of other users; libeling or slandering other users, destruction of or damage to equipment, software or data belonging to the library; disruption or unauthorized monitoring of electronic communications; unauthorized copying of copyright-protected materials; using the library's Internet resources to conduct a business or commercial enterprise; engaging in commercial activity such as the distribution of advertising; hacking or other unlawful uses. Any violation shall result in the immediate loss of access and unlawful activities will be reported to the proper authorities.

For laptops, all customers must register at the circulation desk with a valid driver's license, Michigan identification card or valid library card, with no blocks. Only adults 18 and over may use laptops.

Laptop use is blocked for fines over \$10. Patrons may then use the desktop computers, if they wish. Access to the internet through the desktop computers is not blocked. Laptops must be used inside the library only. Any circumstances of conflict should be taken to the Director.

Customers may sign up to use a workstation for an initial period of 30 minutes. This may be extended to a second 30 minute period if no one is waiting to use the computer. Customers are limited to one hour of total Internet activity per day.

Customers may print data using the library's printer at a cost of \$.15 per black and white page or \$.25 per page for color. Individuals may not use personal software or transfer data from a personal diskette to

library owned computers. No removal from or addition of peripheral devices may be made to the computer. No modification of the system may be made by customers.

Users assume all responsibility for computer software and hardware during use. Problems should be reported to the staff at once.

### Wireless Internet

The White Lake Community Library also offers free public Internet access for persons with wireless-enabled laptops, personal digital assistants (PDAs), and other wireless enabled devices.

This service, which allows individuals to connect to the internet from White Lake Community Library using their own equipment, uses the Library's network resources. Anyone using the Library's wireless service must abide by the Library's internet policy. Users who violate the terms of this policy or other library policies or who use the network for abusive, malicious or illegal activity will be banned from the network and may be subject to prosecution.

Please note that the Library staff cannot assist you with your laptop, card, or configuration. The Library cannot accept the liability of handling your equipment.

As with most public wireless access, the Library's wireless connection is not secure. There can be unreliable parties between you and anybody with whom you communicate, and any information being transmitted could potentially be intercepted by another wireless user. Cautious and informed wireless users should choose not to transmit personal information (credit card numbers, passwords and any other sensitive information) while using any wireless "hot spot." Please take appropriate precautions when using this service.

The library will not be responsible for any information (i.e. credit card) that is compromised, or for any damage caused to your hardware or software due to electric surges, security issues or consequences caused by viruses or hacking.

The White Lake Community Library makes no warranties of any kind, whether expressed or implied, for the wireless internet service provided.

### Copyright

U.S. copyright law (title 17, U.S. Code) prohibits the unauthorized reproduction or distribution of copyrighted materials, except as permitted by the principles of "fair use." Users may not copy or distribute electronic materials (including electronic mail, text, images, programs or data) without the explicit permission of the copyright holder. Responsibility for any consequences of copyright infringement lies with the user. The library expressly disclaims any liability or responsibility resulting from such use.

### **3011** Display Spaces

The library has display spaces which organizations or individuals may use from time to time. The library reserves the right to approve exhibits placed in its display areas. The library disclaims responsibility for loss or damage during the time the display is set up, displayed, or removed from the library. A Display Spaces Release Form must be filled out and approved for materials to be displayed.

See Display Release Form in Appended Forms and Procedures at the end.

### **3011b** Public Bulletin Board Policy *(revised 2-25-2015)*

Individuals and groups are invited to inquire about using bulletin board space in the White Lake Community Library for educational, cultural, charitable, governmental, and civic purposes. Posting of informational materials by the Library does not constitute endorsement of the beliefs or policies of the sponsoring group.

1. Materials accepted for posting should be no larger than 8.5" x 11".
2. Materials accepted for posting shall be displayed for a time not to exceed 14 days prior to a specific event.
3. Library related information or publicity for library-sponsored events will be given priority for posting should space become limited.
4. All materials posted become the property of the Library unless other prior arrangements have been made.
5. All materials submitted for posting are subject to the review and approval of the Library Director or designee.
6. The library does not advocate or endorse the viewpoints, beliefs, or activities of any organization or event that is publicized on the public bulletin board.
7. The library may, from time to time, post items that it feels are of general interest to its patrons. The library will not post items that promote private business and reserves the right to choose.

### **3012 Tours and Class Visits**

Tours and classroom visits must be prescheduled with the library director or youth services librarian. Teachers are responsible for children while they are in the building or on the library grounds.

### **3013 Disaster Preparedness**

The library's emergency plan is a separate document and was adopted by the board in November, and an update on fire preparedness was approved by the board in April, 2005. A copy of the emergency plan is in the staff work area by the cash register.

### **3014 Printer/Copier**

A printer/copier is provided for the convenience of library customers. It can be set to do two-sided documents. Charges are \$.15 per page side for black and white and \$.25 per page side for color. Staff will assist customers making copies as time allows.

The Friends of the Library group may use this copier if they choose. Copies made by the Friends Groups will be charged the price the library pays through its maintenance contract.

### **3015 Meeting Room and Legacy Room Use (revised 11-18-2015; 4-27-2016)**

The library welcomes the use of its meeting room for activities which reflect the library's mission. Reservations for each room are accepted on a first come, first served basis. Scheduling preference is given to any library-sponsored program. The meeting room holds approximately 82 people. The Legacy Room holds 15.

Use of the rooms must be open to the public, with the exception of companies who use our room for trainings where the meeting is not open to the public. They must be used during regular library hours, or, for an additional fee as provided below, during hours before or after the library opens (but not before 7 a.m. or later than one-half hour after closing. The rooms are not available on days that the library is closed. The use of the rooms shall not produce excessive noise or otherwise interfere with or disrupt the Library's operation or the quiet use and enjoyment of the Library by patrons.

Smoking, open flames of any kind or melted wax, alcoholic beverages, gambling, and the use of hazardous materials are not allowed. All groups using the rooms must comply with local and state laws and regulations.

The rooms are reserved for use by educational, civic, cultural, intellectual, governmental, political, religious, charitable or other nonprofit groups or organizations for noncommercial and nonprofit purposes and by other groups or organizations for educational purposes such as seminars or training programs. No group or organization will be excluded based on their affiliations or beliefs. Permissions granted for the use of the rooms does not imply an endorsement of the user or the user's beliefs by the Library Board or staff members, and no group or organization shall state or imply in its publicity that the Library sponsors or endorses the meeting, the group or organization, or any particular set of ideas. Groups or organizations may not use the library's name or address as their own address or location.

Commercial sales and promotion of businesses are prohibited. However, the Library reserves the right to use the meeting room for fundraising activities for the benefit of the Library. Use of the rooms for private social events such as parties, receptions, family reunions, showers and similar functions are also prohibited.

Admission fees for activities in the rooms may not be charged, but a fee for supplies used in conjunction with a workshop may be charged. Voluntary donations may be solicited, but those choosing not to donate shall not be denied admission or participation in the meeting or event.

Groups or organizations using the rooms agree to indemnify and hold the library harmless from any and all suits, actions, claims, liabilities or demands of any nature arising or resulting from use of the building or portion thereof and its premises, and the library assumes no obligation respecting use of the building by the user. Cost of damages to the building, furnishings and equipment beyond normal wear must be paid by the group or individual using the building at the time damage occurs. Groups or organizations assume full responsibility for providing and paying for special accommodations that are requested by participants in accordance with the Americans with Disabilities Act.

Application for permission to use either room is made to the Library Director or his/her designee on the prescribed forms. The application must be signed by the local head of the group requesting to use the room and the authorized person in charge of the activity. If the Library Director denies the application for failure to conform to this policy, the applicant may submit a written appeal to the Library Board within five (5) business days of the Library Director's decision. The decision of the Library Board, on a timely written appeal, shall be final.

The booking calendar runs from January 1 through December 31. The rooms may be booked not more than six (6) months in advance. In order to accommodate public demand for use of the rooms, weekly or bi-weekly events scheduled by the same party are limited to not more than 6 consecutive months and use by a single group or organization may not exceed a total of 12 meetings per calendar year. The library has the right to cancel any use of the meeting room and to suspend or terminate future use of the meeting room by any group or organization that violates this meeting room policy or violates other library rules and regulations. The Library reserves the right to cancel use of the meeting room due to inclement weather or other closures of the Library building. The library must be notified by the renting group 24 hours in advance if cancellation of a meeting becomes necessary. Failure to notify the library of a cancellation may result in forfeiture of the deposit. No group or organization may assign or transfer the use of the meeting room to another group or organization.

The kitchen facility may be used to serve light refreshments. The kitchen and rooms must be clean and in the order found. If the facility is not left clean, there will be an additional custodial charge. Furniture and equipment may not be moved without prior permission. Library facilities may not be altered in any way, including fixing signage, posters, streamers, balloons, etc., to walls, furniture, or blinds. Items belonging to the renter may not be stored at the library. Equipment of any kind not provided by the Library may not be used without the prior written approval of the Library Director or his/her designee.

## **RULES AND REGULATIONS**

Programs sponsored by the Library and/or Friends of the Library may use the library during regular library hours at no charge.

Not-for-profit groups or organizations based within the library district as well as the constituent governmental entities of the Library (City of Whitehall, Whitehall Township, Fruitland Township, and Whitehall District Schools) and their boards, commissions, and agencies may use the facility during regular library hours at no charge.

All other Meeting Room reservations must be accompanied by a \$15 deposit (\$10 deposit for the Legacy Room), which will be applied to the rental. Invoices for meeting room use will be sent at the end of each month or quarterly. If payment is not made within 30 days of the invoice date, a late fee of \$10 will be charged.

Rate per hour during regular library hours	\$15 Rate per hour
Rate for Friends' Legacy Room during regular library hours	\$10 Rate per hour
Rate for combined areas during regular library hours	\$25 Rate per hour
Rate per outside regular library hours (in addition to regular rate)	\$20

See Meeting Room Use Application Form in Appended Forms and Procedures at the end.

### **3017 Overnight Parking**

The library's driveway is open 24 hours a day to allow people to return materials at their convenience.

However, overnight parking in the parking lot is prohibited. A "no overnight parking" sign in the library's driveway alerts motorists to the City of Whitehall's parking ordinance restricting overnight parking. Since the library is located within the City of Whitehall, this ordinance may be enforced on library property.

Violators may be ticketed for a civil infraction, resulting in a fine. If the vehicle is not moved within 48 hours, it is considered abandoned and subject to impoundment at the owner's expense.

## **4000 Library Collection and Services**

### **4001 Collection Development**

Collection development includes selecting materials for the library, deciding which books to withdraw from the collection, handling gifts, determining where within the library different materials are to be located and managing special collections.

### **4002 Materials Selection**

The purpose of a library materials selection policy is to guide the librarian in the selection of materials and to provide written documentation of the principles upon which those selections are made.

Selection is based primarily on the Library Bill of Rights, as adopted by the American Library Association. The Library Bill of Rights states "in no case should any book be excluded because of the race or nationality or the political or religious views of the writer. There should be the fullest practicable provision of materials presenting all points of view concerning the problems and issues of our times international, national and local; and books and other reading materials of sound factual authority should not be proscribed or removed from the library shelves because of partisan or doctrinal disapproval."

The library is to maintain a well-balanced and broad collection of materials for information, reference and research; for the education and enlightenment of the community, as a whole.

One or more of the following criteria will be used to guide selection;

1. Contemporary significance or permanent value
2. Accuracy
3. Authority of author
4. Relation of the work to the existing collection
5. Price, format and ease of use
6. Scarcity of information in the subject area
7. Availability of material elsewhere in the community or through Lakeland Library Cooperative

The library does not advocate particular beliefs or views, nor is the selection of given materials an endorsement of the viewpoint of the author on a subject.

Materials with an emphasis on sexual content or containing profane or explicit language will not be automatically rejected. Selection should be made on the basis of whether the material presents life in its true proportions, whether characters and situations are presented realistically and if the material has literary value.

Responsibility for the selection of materials for children rests with the parents, caregivers or legal guardians. Parents or guardians are responsible for keeping undesirable materials away from their children.

Selection of textbooks and non-book materials, i.e., videos, DVDs and CDs, magazines and gifts will be governed by the same principles and criteria applied to the selection of other items for purchase. No conditions may be imposed relating to any gift after its acceptance by the library.

The library uses the Request for Reconsideration of Materials form for citizens who wish to make a formal complaint about materials in the library collection. The form is available at the circulation desk and in the Appended Forms and Procedures at the end.

#### **4003 Collection Weeding**

Discarding from or "weeding" the collection is performed on a continuing basis. Just as all materials are added to the collection to serve the library's customers, so they should be withdrawn if they cease to serve that purpose. Weeding helps to provide a more attractive and timely collection and assures the orderly growth of a quality collection. Weeding is done at the discretion of the library staff. Books placed in storage are marked accordingly in the computer and are available for checkout.

Guidelines used in weeding the library collection are:

Duplicate copies of titles which are no longer popular will be removed. Materials which are physically damaged, worn or contain inaccurate information will be eliminated. Old books may be retained if they are classics or contain valuable material which is not outdated even if they appear worn. Books which have not circulated in several years will be considered for withdrawal. Books which are irrelevant to the needs and interests of the library's customer will be considered for withdrawal.

Books which have been weeded are deleted from the computer and placed in the Library's Book Sale. The Friends Group is given some items for their room sales and special tent sales at community events.

#### **4004 Philosophy and Goals of the Reference Section**

Reference service is defined as assisting customers in locating materials that will provide needed information and/or providing answers to factual questions. Guidance will be given in locating materials for

customers who appear in person, call on the telephone or who request information via correspondence or through the library's website.

Staff may not offer personal opinion, advice or interpretation as fact. In particular, staff are not legally qualified to offer legal, medical or tax advice. Staff will work with local schools to assist students with major assignments.

#### **4005 Tax Materials and Tax Information**

The library provides tax forms furnished by the Internal Revenue Service and the State of Michigan for the convenience of library customers. Staff of the library will not answer questions about tax materials and will not provide advice and assistance in their use.

#### **4006 Special Collections**

The library owns books on the history of the White Lake area which are available to customers for use in the library or for making copies. These materials are kept in the library work area and are non-circulating due to their irreplaceable nature.

Microfilm reels and articles from the *Whitehall Forum* (1874-1940) newspapers are also non-circulating materials. The *White Lake Beacon* (1995-2004) is on either microfilm, CD or on the library's web page.

#### **4007 Memorial and Honorary Donations**

The library welcomes monetary memorial and honorary donations. The staff will work with the donor to select titles that are suitable to the donor and in keeping with the interests of the person being honored. Letters of acknowledgment are sent to the donor and to the family of the person being honored. The book will be marked with a suitable bookplate.

#### **4008 Gifts of Materials**

The library welcomes gifts of materials for its collection. All donated material must meet established criteria of selection for inclusion in the library's collection. All donated materials become the property of the library. Materials not added to the library's collection are placed in the Library Book Sales.

The library will furnish the donor, upon request, with a dated receipt signed by the librarian stating only the total number of items donated and their general condition. The library does not assume responsibility of determining the value of donations.

#### **4009 Request for Reconsideration of Resources**

Customers who object to a particular library collection item may fill out and sign a "Request for Reconsideration of Library Resources Form" and state the reason for their objection.

All signed objection forms are turned in to the library director and brought to the attention of the library board at its next regularly scheduled meeting. After reviewing the item(s) and the stated objection(s), the board will decide whether the item should remain in the library or be moved within the library to a more suitable location.

The library director will notify the customer of results of the review.

See Request for Reconsideration of Library Resources Form in Appended Forms and Procedures at the end.



#### **4010 Programming**

A program is defined as a planned interaction between the library staff or the Friends of the Library and the program participants for the purpose of promoting library materials, facilities or services, as well as offering the community an informational, entertaining or cultural experience.

Programming for children, teens and adults may include such activities as story times, movies, craft times, special presenters, juvenile/teen activities, book discussion groups, writer's group or author visits.

#### **4011 Notary Service**

Notary service is available during weekday business hours. There is a fee per page notarized.

#### **4012 Fax Service**

The library provides outgoing fax service to the public for \$1.00 per page. The library does not provide incoming fax service. International faxes are not permitted.

### **5000 Public Relations**

#### **5001 Purpose Statement**

The library wishes to ensure that the public receives accurate and consistent information regarding library policies, procedures, programs and services. The library recognizes its responsibility to maintain continuing communication with current and potential users and establish a professional reputation as a non-partisan, non-sectarian, non-biased place for the sharing and exchange of ideas.

The library board and staff are involved in promoting positive public relations with the community. Open communication with the community is desired as long as it does not violate personal privacy or conflict with the library's legal standing.

To reach these goals, the following public relations policy has been developed.

#### **5002 Media Contact**

Contacts initiated by the media are directed to the library director or to the appropriate department, e.g. juvenile/teen services, adult services, reference non-fiction.

Contacts to the newspapers, radio and TV stations are made by the person or persons in charge of the specific program, service or policy being addressed.

The library director is the official spokesperson for the library.

#### **5003 Cooperation with Government or Interagency Units**

Personal and informational group contacts/cooperation are maintained with local government officials, service clubs and other community organizations by the library board trustees and library staff, in so far as such cooperation is compatible with the library's mission, legal and fiscal considerations and opportunity exists for staff involvement.

#### **5004 Library Promotional Methods and Materials**

The library uses a number of publicity choices when communicating with the public and media:

Newsletter(s)  
General information brochures  
Articles in the local newspapers,  
The annual report  
Posters, flyers  
Bookmarks using the library's logo  
Special feature displays  
Web page, radio and TV

Presentations to community groups may also be made by the director and the youth services librarian. The library may be represented at community events such as parades and fairs through its Friends group.

Promotional materials are the responsibility of the department sponsoring the activity and should follow library established guidelines and standards of quality.

#### **5005 Emergency Situations**

In the event of an emergency, official statements to the public and media are handled by the library director or the assistant director in the absence of the director.

If it is necessary for the library staff to provide information to the public, the library director will inform staff what is to be said.

#### **5006 Handling of Suggestions for Improvements or Compliments or Complaints**

A suggestion box is available for people wishing to make a suggestion for improvement, to give a compliment or to register a complaint. Serious complaints are responded to by the library director.

#### **5008 Freedom of Information Act (FOIA) (added 6-24-2015)**

The library complies with and follows the Michigan Freedom of Information Act. All documentation appears in the Forms section.

### **6000 Financial Matters**

#### **6001 Investment Policy**

The Board authorizes that its finance committee recommend strategies to the Board for the investment of surplus funds in accordance with Act 20 of the Public Acts of 1943, as amended by Public Act 196 of 1997 and under the guidelines established in this policy.

Act 20 of the Public Acts of 1943, as amended, provides that the "..... legislative or governing body of a county, city, village, township or special assessment district, or an agency, board or commission of a county, city, village, or township by resolution may authorize the investment of surplus funds belonging to and under the control of the political subdivision, special assessment district or agency, board or commission of a county as follows:

- a) In bond securities and other obligations of the United States or an agency or instrumentality of the United States in which the principal and interest is fully guaranteed by the United States.
- b) In certificates of deposit, savings accounts, deposit accounts or depository receipts of a bank which is a member of the Federal Deposit Insurance Corporation or a savings and loan

association which is a member of the Federal Savings and Loan Insurance Corporation or a credit union which is insured by the National Credit Union Administration.

- c) In commercial paper rated at the time of purchase within the 2 highest classifications established by not less than 2 standard rating services and which matures not more than 270 days after the date of commercial paper at any time.
- d) In United States government or federal agency obligation repurchase agreements.
- e) In bankers' acceptance of United States banks.
- f) In mutual funds composed of investment vehicles which are legal for direct investment by local units of government in Michigan.
- g) Governmental Investment pools as established by the Surplus Funds Investment Pool Act

It is the responsibility of the WLCL Board to achieve, with its investment, a maximum level of security and protection on its principal.

The Board authorizes and hereby directs the investment of balances from time to time to be available in the various funds of the WLCL in accordance with Act 20 of the Public Acts of 1943, as amended by Public Act 196 of 1997; and these guidelines as follows.

1. All potential investments must be submitted in writing by the financial institution (fax accepted) with written approval of the WLCL Board chairperson or library director before any balances be placed in investment instruments previously listed.
2. The WLCL will diversify the library's certificate of deposit (cd) portfolio by ensuring that no institution has greater than 25% of the library's investments. The library's cd investments with an institution shall not exceed \$100,000.
3. All investments must be held less than three (3) years (short term bonds only) solely in the name of WLCL.
4. Items a) and c) above shall be transacted solely through a broker selected by the WLCL Board and in amounts and investments recommended by the finance committee and approved by the Board.

With regard to changes in specific investments that the broker recommends, the finance committee can authorize any changes upon written approval of the Library Board.

5. Investments will not be made with a due date that exceeds the date when the funds are estimated to be required. Investments with maturity dates exceeding one year will be noted by the Board.
6. Employees involved in the investment program shall refrain from actions that could hamper the effectiveness and efficiency of the Board's investment program. Disclosure shall be made to the WLCL Board of any unusual personal financial transaction involving a financial institution participating in the library's investment program. Employees taking actions deemed reasonable and adhering to the parameters placed by investment laws, policies and procedures shall be relieved of personal liability for investment performance.

## **6002 Depreciation**

The Library Board has established a capitalization policy that only items valued at \$1,000.00 or more are capitalized. Exception; items added to the book collection are called capitalized regardless of the dollar value. These assets have to be depreciated in order to conform to GASB 34 Rules of Depreciation. This is a straight-line policy.

Building	50 years
Land Improvements	20 years
Book Collection	7 years
Equipment (including computers)	3-5 years
Furniture & Fixtures	5 years

**6003 Credit Card Policy (revised 2-25-2015)**

The library will maintain a corporate/business credit card for streamlining some purchases of goods and/or services for the library's official business. It may also maintain credit accounts at businesses that are used frequently. The policy provides a system of security and internal controls to ensure that the library will comply with all applicable laws and prevents unauthorized use of the credit card.

The WLCL credit card may only be used by the Library Director, unless the Director writes a letter of permission for a key-holder staff member stating dates and use restrictions. This may include conference or seminar attendance expenses. The person using the card is responsible for accounting for its use. The Director is responsible for monitoring and maintaining compliance of the card's use.

The credit card use includes items for the normal operations of the library and/or travel-related expenses.

Any inappropriate charges on the credit card or charges made contrary to the policy will be charged to the individual who made the charges. If necessary, disciplinary measures, including termination of employment, will be taken.

Documentation detailing purchases must be submitted to a library board check signer before payment is approved. The check signer will verify the receipts with the monthly statement. In the event the purchase was made by telephone, fax or on-line, a purchase order with the required information must be submitted for approval. The total balance of the credit card statement is to be paid prior to the due date. The library Director is responsible for the protection of the credit card and shall immediately notify the financial institution issuing the card if it is lost or stolen.

The Director must immediately surrender the credit card upon leaving employment at the library, whether because of retirement or termination.

The total combined authorized credit limit for the credit card shall be in line with the amount permitted by state law.

All changes made to this Credit Card Policy shall also be subject to the terms of Public Act 266 of 1995 of the State of Michigan, as it may be amended. The Credit Card Policy is issued in accordance with such Act, and nothing herein shall be deemed to supersede provisions of such Act. In the event of any discrepancy between this Credit Card Policy and such Act, Public Act 266 shall be controlling.

**Procedure for Vouching and Paying the Director's Credit Card Statements (revised 2-25-2015)**

The purpose of this procedure is to guide library employees in the process of vouching and approving payment for the Library Director's credit card. The procedure should be followed exactly to maintain the intended internal control.

1. The statement from the credit card company will be addressed to the Director.
2. The Director will then organize her/his receipts and note on the invoice the accounts to which they are to be charged and give the invoice with receipts to the Bookkeeper who will collect approved purchase orders and documentation for remaining charges.
3. The Director should check the total to be sure it matches the account balance on the statement and then approve the invoice for payment.

4. One board member (Treasurer) will be designated as the approving authority. The approved invoice will be presented to the Treasurer for review and approval.
5. The reviewing board member will review the invoice and perform the following steps:
  - a. Review each charge item for reasonableness including the name of the business or institution, the type of expense and the amount of the expense.
  - b. Add the dollar amount of the charges and confirm the total on the form.
  - c. Approve the total on the invoice and date it.
  - d. Directly forward the approved statement to the bookkeeper.

**6004 Detection and Prevention of Fraud (revised 2-25-2015; 4-26-2017)**

Fraud is defined as the intentional false representation or concealment of a material fact for the purpose of inducing another to act upon it to her or his injury.

Management is responsible for the detection and prevention of fraud, misappropriations and other inappropriate conduct. Members of the library's management team must be aware of the types of improprieties that could occur within their particular work area and be alert of any indication of inappropriateness.

It is the intention of management to promote consistent organizational behavior by providing guidelines and assigning responsibility for the development of internal controls.

This policy applies to any fraud, or suspected fraud, involving employees, as well as consultants, vendors, contractors, outside agencies doing business with employees of such agencies or other parties having business relationship with the library. Any required investigative activity will be conducted without regard to the suspected wrongdoer's length of service, position/title or relationship with library.

The following system of internal accounting controls will be used to monitor the use of **ACH/EFT** transactions by the library.

1. The bookkeeper shall notify the director in writing of the federal and state tax withholding or payroll direct deposit transactions to be made electronically, including the amount and the date of the transaction.
2. The director approves the transactions as submitted by the bookkeeper.
3. The bookkeeper provides information about the electronic withholding tax and payroll direct deposit payments for board approval each month.
4. If the board pre-approves payment of the specific obligation (withholding taxes or payroll direct deposits), it must confirm the disbursement at the next board meeting following the disbursement.
5. Paper ACH authorization Forms will be stored in a locked drawer in the Director's office at all times.
6. Paper Authorization Forms are to be destroyed by shredding when no longer needed.
7. Electronic format protected information will be stored on the bookkeeper's password protected secured desktop computer. Confidential information will also be backed up to 2 USB drives; one that is kept in the library's safe and another kept in a bank's safety deposit box. This computer is to be restricted to business use only and is to be set to log off when not in use.
8. The bookkeeper's computer is to maintain up-to-date anti-virus and anti-malware/spyware software.
9. The bookkeeper and director are to follow the bank's requirements for securing ACH Protected Information

## Actions Constituting Fraud

The terms misappropriation and other fiscal wrongdoings refer to, but are not limited to:

- Any dishonest or fraudulent act
- Forgery or alteration of any document or account belonging to the library.
- Forgery or alteration of a check, bank draft, or any other financial document
- Misappropriation of funds, supplies or other assets
- Impropriety in the handling or reporting of money or financial transactions
- Disclosing confidential and proprietary information to outside parties
- Accepting or seeking anything of material value from contractors, vendors or persons providing services/materials to library. Exception: gifts less than \$50 in value.
- Destruction, removal or inappropriate use of records, furniture, fixtures or equipment
- Any similar or related inappropriate conduct

The library board has the primary responsibility for the investigation of all suspected fraud as defined in this policy. If the investigation finds that fraudulent activities have occurred, reports will be issued by the library director to the library board.

Any employee who suspects dishonest or fraudulent activity will notify the library director immediately. The library director will notify the chair of the finance committee promptly. All information received will be treated with utmost confidentiality. The complainant may remain anonymous. No employee should attempt to personally conduct investigations or interviews/interrogations related to any suspected fraudulent act. All investigation results will not be released or discussed with anyone other than those who have a legitimate need to know. This is necessary in order to avoid damaging the reputation(s) of those suspected but later found to be innocent of wrongful conduct and to protect the library from potential liability.

## Investigation Team

Members of this team will have:

- Free and unrestricted access to all library records and premises.
- The authority to examine, copy and/or remove all or any portion of the files, desks, cabinets and other storage facilities on the premises without prior knowledge or consent of anyone who may use any such items or facilities when it is in the scope of the investigation.

Great care must be taken during the investigation of suspected wrongdoings so as to avoid mistaken accusations or alerting suspected individuals that there is an investigation taking place.

No information about the status of the investigation will be given out. The proper response is "I am not at liberty to discuss this matter." Members of the investigation team are not to discuss the case, facts, suspicion or allegations with anyone unless instructed to do so by the library board.

Under no circumstances should any reference be made to "the allegation," "the crime," "the fraud," "the forgery," "the misappropriation," or any other specific reference.

## Termination

If an investigation results in the recommendation that an individual be terminated, the recommendation will be reviewed for approval by the library director, before such action is taken. The decision to terminate an individual rests with the immediate supervisor and in the case of the library director the decision would rest with the library board. (Association of Certified Fraud Examiners, 2003.)

The Finance Committee is responsible for the administration, revision, interpretation and application of this "Prevention and Detection of Fraud" Policy. The policy will be reviewed annually and revised as necessary.

See the sheet on internal accounting controls in Appended Forms and Procedures at the end.

#### **6004b** Signatures (revised 6-25-2015)

The Library Board authorizes all board members and the Library Director to be signatories on all checks. The Library Director has full signatory on all payroll checks.

The authorized person to sign all E-rate forms to procure/order/contract for the Library will be the Library Director.

#### **6005** Automated Clearing House (ACH) Arrangements and Electronic Transactions of Funds

##### **Definitions**

Automated Clearing House (ACH) means a national and governmental organization that has authority to process electronic payments, including, but not limited to, the National Automated Clearing House Association and the Federal Reserve System. Electronic Funds Transfers (EFT) means a national and/or governmental organization has authority to process electronic payments by transfer.

An ACH arrangement means the agreement between the originator of the ACH transaction and the receiver of an ACH transaction. An EFT arrangement means the agreement between the originator of the EFT transaction and the receiver of an EFT transaction.

An ACH or EFT policy means the procedures and internal controls as determined under this written policy as approved by the library board.

##### **Authority to Enter into ACH/EFT Arrangements and Electronic Transfers of Public Funds**

The library shall not be party to an ACH/EFT arrangement unless the Library Board has approved a resolution and the policy approving the electronic transaction for federal or state withholding taxes.

##### **Responsibility for ACH Agreements**

The library director is responsible for the Library's ACH/EFT agreements, including payment approval, accounting, reporting and generally for overseeing compliance with the ACH/EFT policy.

Procedures are in the Appendix of this manual.

The bookkeeper shall retain all ACH/EFT transaction documents.

The following system of internal accounting controls will be used to monitor the use of ACH/EFT transactions by the library.

1. The bookkeeper shall notify the director in writing of the federal and state tax withholding transactions to be made electronically, including the amount and the date of the transaction.
2. The director approves the transactions as submitted by the bookkeeper.
3. The bookkeeper provides information about the electronic withholding tax payments for board approval each month.

4. If the board pre-approves payment of the specific obligation (withholding taxes,) it must confirm the disbursement at the next board meeting following the disbursement.

## **6006 Budget Policy**

### **Purpose**

The purpose of the budget policy is to provide useful financial information and procedures which demonstrate the library's accountability and good stewardship of public funds. These are goals of the library board, administration and staff.

### **Responsibility**

The library director and bookkeeper are responsible to prepare and publish an annual budget in accordance with the Uniform Budgeting and Accounting Act, being Act No.2 of the Public Laws of Michigan of 1968, as amended.

The Finance Committee is responsible to review, consider and recommend the proposed budget for board adoption. Notice is given and a public hearing is held prior to budget adoption in accordance with the provision of Act 43 of 1963, as amended. The budget must be adopted prior to December 31 of each fiscal year.

### **Development**

Budget development and internal controls are integral parts of the management process. A challenging aspect of the budget process is the prioritization of the library's goals and objectives as outlined in the library's strategic plan and the director's annual goals. These goals must then be interpreted in financial terms. Carrying out the strategic plan, which draws upon the "wish lists" of staff, director and board can be challenging and not always feasible within the parameters of the library's income.

### **Amendments**

- a. **Amendment** is defined as an increase or decrease of the total authorized for the annual budget for the library.
- b. **Adjustment** is defined as a line item change.

Amendments to the budget shall be prepared and presented to the Finance Committee by the director and bookkeeper in June and November and at other times when it has been identified that there is a 3% or greater increase or decrease in the "*Total Operating Revenues*" line and/or when it is anticipated that there will be a 3% or great fiscal-year shortfall in any of the four major "*Expenditures*" lines, such as in *People Expenses or Operating Expenses or Capital Transactions or Collection Spending*, and then the budget amendments shall be brought to the full Board for action. Budget amendments may also be brought to the Finance Committee's attention by the director and bookkeeper at other times for the Committee's consideration. Any Budget Adjustments that are proposed shall be presented to the Finance Committee at each of their meetings and the full Board at each Board meeting.

### **Timeline and Process**

June - Director and bookkeeper begin the process  
Personnel Committee meets to discuss staff salary/wage levels  
August - Board approves millage rate request for the coming year  
September - Finance Committee reviews the budget and provides input  
October - Board reviews and provides input on the proposed budget  
November - Public hearing and budget adoption

### **Invoice Payment (added 5-27-2015)**

Invoices which have a due date before the next scheduled Board Meeting (such as utilities, services, payroll, materials during month, etc.), may be paid before the meeting in order to avoid late fees. The Board will review the paid invoices at their meeting.



## **6007 Audit Policy**

### **Purpose**

"Auditing is a set of procedures performed to enable an auditor to express an opinion as to whether the financial statements present the financial information fairly, in all material respects, in conformity with generally accepted accounting principles as established by the American Institute of Certified Public Accountants (AC DP A)."

Library of Michigan, Financial Management Refresher Guide  
Prepared by Plante & Moran, LLP

All governmental units serving at least 4,000 people are required by state law (Public Act 2 of 1968) to conduct an annual audit. Audits are performed in accordance with Generally Accepted Auditing Standards. Audits provide credibility of financial statements, professional guidance in preparing useful financial statements, advice on developing and maintaining internal controls and assistance with compliance requirements.

### **Auditor Selection and Relationship**

It is very important that there be a good working relationship between the auditor, library board, bookkeeper and library director. The Library Board seeks to maintain a long-term relationship with the auditing firm of its choice, and also approves the audit letter of engagement.

Communication between the auditor, bookkeeper and library director is encouraged throughout the year. The auditor may be consulted regarding unusual or difficult accounting issues and library activities or to answer questions relating to the library's accounting practices and procedures.

The Finance Committee, with the library director, interview prospective auditing firms and bring a recommendation to the library board for selection. The auditor's letter of engagement is brought to the board each year for approval.

### **Audit Preparation**

The director is responsible for the audit preparation and may delegate this work to the bookkeeper while maintaining overall responsibility of the preparation process.

### **Distribution**

Independent audit reports for public libraries are considered to be public records to be distributed upon request and are distributed to:

- The Library Board
- State of Michigan Local Audit and Finance Division of the Department of Treasury. The auditor is responsible for filing the library's audit report with the State of Michigan by June 30<sup>th</sup> each year.

### **Audit Timeline**

- The audit is conducted by early to mid-March.
- The draft audit report is reviewed by the bookkeeper, director and Finance Committee. Following this review, the draft audit report is given to all other board members for their review and comments. The Finance Committee serves as the Audit Committee.
- The final audit report is given to the Library Board before the audit presentation at a board meeting.

## **6008 Petty Cash Fund**

The library shall maintain a Petty Cash Fund, not to exceed \$50.00, to be used for reimbursement of minor expenses in connection with approved library activities, the amount and significance of which are so small as to preclude requesting disbursement by check.

The librarian will be the custodian of the fund which will be kept in a locked box in the librarian's office. The custodian is responsible for ensuring appropriate documentation is retained on each petty cash

transaction and fund reimbursement. The librarian shall periodically reconcile the petty cash fund, keeping accurate detailed records, to keep the fund in a proper working amount.

#### **6009** Assigned Equity

When budgetarily appropriate, the Director would request in writing to the Finance Committee to pay for capital improvements, enhancements, new equipment or construction for such expenditure from the Assigned Equity Fund that exceeds \$2,500, if this request is supported by the Finance Committee it will be presented to the entire Board for approval.

Monthly \$1,200 will be transferred from account 390, the Equity Fund Balance, to account 391, the Assigned Equity.

#### **6010** Payment of Invoices (added 5-27-2015)

The Library Director and Bookkeeper may pay invoices which have a due date before the next scheduled Board Meeting to avoid late fees. The Board will review the paid invoices at their meeting.

#### **6011** Credit Cards – Accepting from Patrons for Payment (added 6-28-2017)

The library accepts the following payment methods: cash, personal checks and credit cards.

#### **Credit Card Transactions**

To expedite library payments and for the convenience of patrons, the WLCL accepts Visa, Mastercard, Discover and American Express credit card payments. Patrons can charge a minimum of \$5.00.

Patrons may only use a credit card in person at the library. No credit card transactions will be accepted via email, phone, fax, email or any other forms of electronic communication.

Patrons using a credit card will be asked to show photo identification and to sign a receipt from the transaction. The patron will be given a paper receipt from the transaction and the library will keep the signed receipt. (Nick has to set this up)

The library requires full payment of any outstanding bills when a patron uses a credit card for payment to the library. The library reserves the right to refuse service or cancel transactions at any time. Completion of a payment transaction is contingent upon both the authorization of payment by the applicable credit card company or financial institution and acceptance of payment by the library. If a credit card payment is unable to be processed, the library will attempt to notify the patron using the contact information provided. In any event, the credit card user remains solely responsible for payments due.

#### **Credit Card Activities**

The library **prohibits** certain credit card activities including, but not limited to:

Accepting payment cards for cash advances or cash back. **(We only accept payment for actual fines and/or fees owed to the library).**

Discounting fines or fees based on the method of payment.

#### **Refunds**

When a fine or fee has been paid using a credit card and a refund is necessary, the refund must be credited back to the account that was originally charged. Refunds in excess of the original amount paid or cash refunds are prohibited.

**Chargebacks**

Occasionally a patron will dispute a credit card transaction, ultimately leading to a chargeback. In the case of a chargeback, a library staff member is responsible for notify the bookkeeper or Director and for providing appropriate supporting documents for signed approval.

**Privacy Statement**

The White Lake Community Library respects patrons' privacy. Credit card payment details collected electronically are encrypted using secure server technology. At no time does the library store credit card information. This information is only made accessible to authorized credit card vendors and financial institutions to complete your transaction.

**PAYMENT PLAN**

Start Date \_\_\_\_\_ End Date \_\_\_\_\_

Customer Name \_\_\_\_\_ Signature \_\_\_\_\_

Barcode \_\_\_\_\_

I, \_\_\_\_\_ have set up a payment plan with White Lake Community Library, a payment of \$ \_\_\_\_\_ per week/month

till my fines are cleared or below the checkout limit of \$10.00.

Today's Date \_\_\_\_\_

**IN-LIBRARY USE FORM FOR IRREPLACEABLE MATERIALS**

Customer's Name \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

Library Card or Driver's  
License \_\_\_\_\_

Start Time \_\_\_\_\_ End Time \_\_\_\_\_

List of Materials used

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Customer's Signature \_\_\_\_\_ Date \_\_\_\_\_

Damage or loss will be considered as vandalism and reported to the proper authorities.

**PERSONAL INJURY/INCIDENT REPORT**

Date of incident \_\_\_\_\_ Time of incident \_\_\_\_\_

Exact location of incident \_\_\_\_\_

Date reported \_\_\_\_\_ Reported by \_\_\_\_\_

Police report number \_\_\_\_\_

***Personal Injury***

Name, address and phone number of the injured person \_\_\_\_\_

\_\_\_\_\_

Nature of Injury \_\_\_\_\_

Body part injured \_\_\_\_\_ Age \_\_\_\_\_

***Property Damage***

Property Damaged \_\_\_\_\_

Estimated cost \_\_\_\_\_

Witnesses' names, addresses and phone numbers

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Describe clearly how the incident occurred and what steps were taken

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**DISPLAY SPACE RELEASE**

I, the undersigned, agree to loan the following works of art and/or Other materials to the White Lake Community Library for exhibit purposes only. In consideration for the opportunity of exhibiting them in the library, I release the White Lake Community Library and its' employees and volunteers from any responsibility for loss or damage during the time they are being set up, displayed or removed from the library.

Further, I acknowledge that ownership, control and responsibility for all materials are mine alone. I assume responsibility for insurance on all items on display.

Description of material(s) loaned:

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Dates of display \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

Address \_\_\_\_\_

Telephone \_\_\_\_\_

Library Director's signature

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## Meeting Room Reservation Request

White Lake Community Library  
3900 White Lake Drive  
Whitehall, MI 49461  
(231) 894-9531  
(231) 893-8821 (fax)

Date of Meeting: \_\_\_\_\_ Time from: \_\_\_\_\_ to: \_\_\_\_\_

Room Requested: \_\_\_\_\_ Meeting Room (holds 82) \_\_\_\_\_ Legacy Room (holds 15)

Name of Organization: \_\_\_\_\_

Contact Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Email Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Nature/Purpose of Meeting: \_\_\_\_\_

Expected Attendance: \_\_\_\_\_

Desired set-up: \_\_\_ Classroom Style \_\_\_ Theater Style \_\_\_ Other (attach details)

**Please check items needed:**

Podium \_\_\_\_\_ Microphone \_\_\_\_\_ Ceiling-mounted Projector (Meeting Room only) \_\_\_\_\_

Transparency Projector (\$10 fee) \_\_\_\_\_ Tabletop Projector (\$10 fee) \_\_\_\_\_

*I understand that my organization is financially responsible for any damage we may cause to the room, furnishings and/or equipment during our rental period. I also understand that my organization is responsible to clean up according to the Meeting Room checklist.*

*I hereby apply for use of the library's meeting room and agree to abide by the policy. The library director must receive any notice of cancellation at least 24 hours prior to the meeting or the organization will be charged a \$25.00 cancellation fee.*

*I understand that I am expected to complete an attendance record, and to complete all items on the Meeting Room Use checklist, before leaving the building.*

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature



### Request for Reconsideration of Library Resources

Name \_\_\_\_\_ Date \_\_\_\_\_

Signature \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone \_\_\_\_\_ e-mail address \_\_\_\_\_

**Resource** about which you are commenting:

Book \_\_\_\_ Textbook \_\_\_\_ VHS/DVD \_\_\_\_ CD \_\_\_\_ Audio Tape \_\_\_\_

Magazine \_\_\_\_ Newspaper \_\_\_\_ Display \_\_\_\_ Other \_\_\_\_\_ (please specify)

Title \_\_\_\_\_

Author \_\_\_\_\_

What brought this resource to your attention?

\_\_\_\_\_

Have you examined the entire resource?

\_\_\_\_\_

What concerns you about the resource? (use other side or additional page, if necessary.)

\_\_\_\_\_

\_\_\_\_\_

Are there resource(s) you may suggest to provide additional information and/or other viewpoints on this topic?

\_\_\_\_\_

\_\_\_\_\_

## Freedom of Information Act (FOIA)



3900 White Lake Drive ■ Whitehall, MI 49461  
Phone: 231-894-9531 Fax: 231-893-8821 ■ [whi@llcoop.org](mailto:whi@llcoop.org)

### WHITE LAKE COMMUNITY LIBRARY WRITTEN PUBLIC SUMMARY OF FOIA PROCEDURES AND GUIDELINES

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Consistent with Public Act 563 of 2014 amending the Michigan Freedom of Information Act (FOIA), the following is the Written Public Summary of the White Lake Community Library's FOIA Procedures and Guidelines relevant to the general public.

#### 1. How do I submit a FOIA request to the White Lake Community Library?

- Requests to inspect or obtain copies of public records prepared, owned, used, possessed or retained by the White Lake Community Library (Library) must be submitted in writing.
- A request must sufficiently describe a public record so as to enable the Library to find it.
- No specific form to submit a written request is required.
- Written requests can be made in person by delivery to the Library in person or by mail to:  
*White Lake Community Library  
Attn: FOIA Coordinator  
3900 White Lake Dr.  
Whitehall, MI 49461*
- A request may also be submitted by e-mail. To ensure a prompt response, e-mail requests should contain the term "FOIA" or "FOIA Request" in the subject line and be sent to [whi@llcoop.org](mailto:whi@llcoop.org).

*Note: If you are serving a sentence of imprisonment in a local, state or federal correctional facility you are not entitled to submit a request for a public record.*

#### 2. What kind of response can I expect to my request?

- Within 5 business days of receipt of a FOIA request, the Library will issue a response. If a request is received by facsimile or e-mail the request is deemed to have been received on the following business day. The Library will respond to your request in one of the following ways:
  - Grant the request.
  - Issue a written notice denying the request.
  - Grant the request in part and issue a written notice denying in part the request.
  - Issue a notice indicating that due to the nature of the request the Library needs an additional 10 business days to respond.

- Issue a written notice indicating that the public record requested is available at no charge on the Library's website.
- If the request is granted, or granted in part, the Library will ask that payment be made for the allowable fees associated with responding to the request before the public record is made available. If the cost of processing the request is expected to exceed \$50, or if you have not paid for a previously granted request, the Library will require a deposit before processing the request.

### **3. What are the Library's fee deposit requirements?**

- If the Library has made a good faith calculation that the total fee for processing the request exceeds \$50.00, the Library will require that you provide a deposit in the amount of 50% of the total estimated fee. When the Library requests the deposit, it will provide you a non-binding best efforts estimate of how long it will take to process the request following receipt by the Library of your deposit.
- If the Library receives a request from a person who has not paid the Library for copies of public records made in fulfillment of a previously granted written request, the Library will require a deposit of 100% of the estimated processing fee before it begins to search for the public record for any subsequent written request when all of the following conditions exist:
  - the final fee for the prior written request is not more than 105% of the estimated fee;
  - the public records made available contained the information sought in the prior written request and remain in the Library's possession;
  - the public records were made available to the individual, subject to payment, within the time frame estimated by the Library to provide the records;
  - 90 days have passed since the Library notified the individual in writing that the public records were available for pickup or mailing;
  - the individual is unable to show proof of prior payment to the Library; and
  - the Library has calculated an estimated detailed itemization that is the basis for the current written request's increased fee deposit.
- The Library will not require the 100% estimated fee deposit if any of the following apply:
  - the person making the request is able to show proof of prior payment in full to the Library;
  - the Library is subsequently paid in full for all applicable prior written requests; or
  - 365 days have passed since the person made the request for which full payment was not remitted to the Library.

### **4. How does the Library calculate FOIA processing fees?**

- A fee will not be charged for the cost of search, examination, review and the deletion and separation of exempt from nonexempt information unless failure to charge a fee would result in unreasonably high costs to the Library because of the nature of the request in the

particular instance, and the Library specifically identifies the nature of the unreasonably high costs.

- The Michigan FOIA statute permits the Library to assess and collect a fee for six designated processing components. The Library may charge for the following costs associated with processing a request:
  - Labor costs associated with searching for, locating and examining a requested public record.
  - Labor costs associated with a review of a record to separate and delete information exempt from disclosure of information which is disclosed.
  - The cost of computer discs, computer tapes or other digital or similar media when the requester asks for records in non-paper physical media.
  - The cost of duplication or publication, not including labor, of paper copies of public records.
  - Labor costs associated with duplication or publication, which includes making paper copies, making digital copies, or transferring digital public records to nonpaper physical media or through the Internet.
  - The cost to mail or send a public record to a requestor.

#### Labor Costs

- All labor costs will be estimated and charged in 15 minute increments with all partial time increments rounded down.
- Labor costs will be charged at the hourly wage of the lowest-paid Library employee capable of doing the work in the specific fee category, regardless of who actually performs work.
- Labor costs will also include a charge to cover or partially cover the cost of fringe benefits.
- Non-paper Physical Media
  - The cost for records provided on non-paper physical media, such as computer discs, computer tapes or other digital or similar media will be at the actual and most reasonably economical cost for the non-paper media.
  - This cost will only be assessed if the Library has the technological capability necessary to provide the public record in the requested non-paper physical media format.
- Paper Copies
  - Paper copies of public records made on standard letter (8 ½ x 11) or legal (8 ½ x 14) sized paper will not exceed \$.10 per sheet of paper. Copies for non-standard sized sheets of paper will reflect the actual cost of reproduction.
  - The Library may provide records using double-sided printing, if cost-saving and available.
- Mailing Costs
  - The cost to mail public records will use a reasonably economical and justified means.

- The Library may charge for the least expensive form of postal delivery confirmation.
- No cost will be made for expedited shipping or insurance unless requested.

## 5. How do I qualify for a reduction of the processing fees?

- The Library may waive or reduce the fee associated with a request when the Library determines that to do so is in the public interest because release of the information is considered as primarily benefitting the general public.
- The Library will waive the first \$20.00 of the processing fee for a request if you submit an affidavit stating that you are:
  - indigent and receiving specific public assistance; or
  - if not receiving public assistance, stating facts demonstrating an inability to pay because of indigency.
- You are not eligible to receive the \$20.00 waiver if you:
  - have previously received discounted copies of public records from the Library twice during the calendar year; or
  - are requesting information on behalf of other persons who are offering or providing payment to you to make the request.
- The Library will waive the fee for an nonprofit organization which meets all of the following conditions:
  - the organization is designated by the State under federal law to carry out activities under the Developmental Disabilities Assistance and Bill of Rights Act of 2000 and the Protection and Advocacy for Individuals with Mental Illness Act;
  - the request is made directly on behalf of the organization or its clients;
  - the request is made for a reason wholly consistent with the provisions of federal law under Section 931 of the Mental Health Code; and
  - the request is accompanied by documentation of the organization's designation by the State

## 6. How may I challenge the denial of a public record or an excessive fee?

- Appeal of a Denial of a Public Record  
 If you believe that all or a portion of a public record has not been disclosed or has been improperly exempted from disclosure, you may file an appeal of the denial with the Library Board, as the governing body of the Library. The appeal must be in writing, specifically state the word "**appeal**" and identify the reason or reasons you are seeking a reversal of the denial. The Library Board shall designate the FOIA Coordinator to receive the written appeal and to immediately notify the Library Board President of its receipt.

The Library Board is not considered to have received a written appeal until the first regularly scheduled meeting of the Library Board following submission of the written appeal. Within 10 business days of receiving the appeal the Library Board President will respond in writing by:

- reversing the disclosure denial;
- upholding the disclosure denial; or

- reverse the disclosure denial in part and uphold the disclosure denial in part.

Whether or not you submitted an appeal of a denial to the Library Board, you may file a civil action in Muskegon County Circuit Court within 180 days after the Library Board's final determination to deny your request. Should you prevail in the civil action, the court will award you reasonable attorneys' fees, costs and disbursements. If the court determines that the Library acted arbitrarily and capriciously in refusing to disclose or provide a public record, the court shall award you damages in the amount of \$1000.00

- Appeal of an Excessive FOIA Processing Fee

If you believe that the fee charged by the Library to process your FOIA request exceeds the amount permitted by state law, you must first submit a written appeal for a fee reduction to the Library Board. The appeal must be in writing, specifically stating the word "**appeal**" and identify how the required fee exceeds the amount permitted.

The Library Board is not considered to have received a written appeal until the first regularly scheduled meeting of the Library Board following submission of the written appeal. Within 10 business days after receiving the appeal, the Library Board will respond in writing by:

- waiving the fee;
- reducing the fee and issue a written determination indicating the specific basis that supports the remaining fee;
- upholding the fee and issue a written determination indicating the specific basis that supports the required fee; or
- issuing a notice detailing the reason or reasons for extending for not more than 10 business days the period during which the Library Board President will respond to the written appeal.

Within 45 days after receiving notice of the Library Board's determination of the processing fee appeal, you may commence a civil action in Muskegon County Circuit Court for a fee reduction. If you prevail in the civil action by receiving a reduction of 50% or more of the total fee, the court may award all or appropriate amount of reasonable attorneys' fees, costs and disbursements. If the court determines that the Library acted arbitrarily and capriciously by charging an excessive fee, court may also award you punitive damages in the amount of \$500.00.

**Need more details or information?**

This is only a summary of the White Lake Community Library's FOIA Procedures and Guidelines. For more details and information, copies of the White Lake Community Library's FOIA Procedures and Guidelines are available at no charge at the Library office and on the Library's website: [www.whitelakelibrary.michlibrary.org](http://www.whitelakelibrary.michlibrary.org)



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## **LIBRARY'S FREEDOM OF INFORMATION ACT PROCEDURES & GUIDELINES**

### **Preamble: Statement of Principles**

It is the policy of the White Lake Community Library (WLCL or Library) that all persons, consistent with the Michigan Freedom of Information Act (FOIA), are entitled to full and complete information regarding the affairs of government and the official acts of those who represent them as public officials and employees. The people shall be informed so that they fully participate in the democratic process.

The Library's policy with respect to FOIA requests is to comply with State law in all respects and to respond to FOIA requests in a consistent, fair, and even-handed manner regardless of who makes such a request.

The Library acknowledges that it has a legal obligation to disclose all nonexempt public records in its possession pursuant to a FOIA request. The Library acknowledges that sometimes it is necessary to invoke the exemptions identified under FOIA in order to ensure the effective operation of government and to protect the privacy of individuals.

The Library will protect the public's interest in disclosure, while balancing the requirement to withhold or redact portions of certain records. The Library's policy is to disclose public records consistent with and in compliance with State law.

### **Section 1: General Policies**

The Library Board of Trustees, acting pursuant to the authority at MCL 15.236, designates the Library Director as the FOIA Coordinator. He or she is authorized to designate other Library staff to act on his or her behalf to accept and process written requests for the Library's public records and approve denials.

If a request for a public record is received by facsimile or e-mail, the request is deemed to have been received on the following business day. If a request is sent by e-mail and delivered to a Library spam or junk-mail folder, the request is not deemed received until one day after the FOIA Coordinator first becomes aware of the request. The FOIA Coordinator shall note in the FOIA log both the date the request was delivered to the spam or junk-mail folder and the date the FOIA Coordinator became aware of the request.

The FOIA Coordinator may, in his or her discretion, implement administrative rules, consistent with State law and these Procedures and Guidelines to administer the acceptance and processing of FOIA requests.

The Library is not obligated to create a new public record or make a compilation or summary of information which does not already exist. Neither the FOIA Coordinator nor other Library staff members are obligated to provide answers to questions contained in requests for public records or regarding the content of the records themselves.

The FOIA Coordinator shall keep a copy of all written requests for public records received by the Library on file for a period of at least one year.

## **Section 2: Requesting a Public Record**

A person requesting to inspect or obtain copies of public records prepared, owned, used, possessed or retained by the White Lake Community Library must do so in writing. The request must sufficiently describe a public record so as to enable Library personnel to identify and find the requested public record.

No specific form to submit a request for a public record is required. Written requests for public records may be submitted in person or by mail to the Library office. Requests may also be submitted electronically by facsimile and e-mail. Upon their receipt, requests for public records shall be promptly forwarded to the FOIA Coordinator for processing.

A person may request that public records be provided on non-paper physical media, electronically mailed or otherwise provided to him or her in lieu of paper copies. The Library will comply with the request only if it possesses the necessary technological capability to provide records in the requested non-paper physical media format.

A person may subscribe to future issues of public records that are created, issued or disseminated by the Library on a regular basis. A subscription is valid for up to 6 months and may be renewed by the subscriber.

A person who makes a verbal, non-written request for information believed to be available on the Library's website, where practicable and to the best ability of the employee receiving the request, shall be informed of the pertinent website address.

A person serving a sentence of imprisonment in a local, state or federal correctional facility is not entitled to submit a request for a public record. The FOIA Coordinator will deny all such requests.

## **Section 3: Processing a Request**

Unless otherwise agreed to in writing by the person making the request, within 5 business days of receipt of a FOIA request, the Library will issue a response. If a request is received by facsimile, e-mail or other electronic transmission, the request is deemed to have been received on the following business day. The Library will respond to the request in one of the following ways:

- Grant the request.
- Issue a written notice denying the request.
- Grant the request in part and issue a written notice denying in part the request.
- Issue a notice indicating that due to the nature of the request the Library needs an additional 10 business days to respond. Only one such extension is permitted.
- Issue a written notice indicating that the public record requested is available at no charge on the Library's website.



If the request is granted, or granted in part, the FOIA Coordinator will require that payment be made in full for the allowable fees associated with responding to the request before the public record is made available. The FOIA Coordinator shall provide a detailed itemization of the allowable costs incurred to process the request to the person making the request. A copy of these Procedures and Guidelines shall be provided to the requestor with the response to a written request for public records, provided however, that if these Procedures and Guidelines, and its Written Public Summary are maintained on the Library's website, then a website link to those documents may be provided in lieu of providing paper copies.

If the cost of processing a FOIA request is \$50 or less, the requester will be notified of the amount due and where the documents can be obtained.

If based on a good faith calculation by the Library, the cost of processing a FOIA request is expected to exceed \$50, or if the requestor has not fully paid for a previously granted request, the Library will require a good-faith deposit before processing the request. In making the request for a good-faith deposit, the FOIA Coordinator shall provide the requestor with a detailed itemization of the allowable costs estimated to be incurred by the Library to process the request and also provide a best efforts estimate of a time frame it will take the Library to provide the records to the requestor. The best efforts estimate shall be nonbinding on the Library, but will be made in good faith and will strive to be reasonably accurate, given the nature of the request in the particular instance, so as to provide the requested records in a manner based on the public policy expressed by Section 1 of the FOIA.

If the request is denied or denied in part, the FOIA Coordinator will issue a Notice of Denial which shall provide in the applicable circumstance:

- An explanation as to why a requested public record is exempt from disclosure; or
- A certificate that the requested record does not exist under the name or description provided by the requestor, or another name reasonably known by the Library; or
- An explanation or description of the public record or information within a public record that is separated or deleted from the public record; and
- An explanation of the person's right to submit an appeal of the denial to either the office of the Library Manager or seek judicial review in the Muskegon County Circuit Court; and
- An explanation of the right to receive attorneys' fees, costs, and disbursements as well actual or compensatory damages, and punitive damages of \$1,000, should they prevail in Circuit Court.
- The Notice of Denial shall be signed by the FOIA Coordinator.

If a request does not sufficiently describe a public record, the FOIA Coordinator may, in lieu of issuing a Notice of Denial indicating that the request is deficient, seek clarification or amendment of the request by the person making the request. Any clarification or amendment will be considered a new request subject to the timelines described in this Section.

The Library shall provide reasonable facilities and opportunities for persons to examine and inspect public records during normal business hours. The FOIA Coordinator is authorized to promulgate rules regulating the manner in which records may be viewed so as to protect Library records from loss, alteration, mutilation or destruction and to prevent excessive interference with normal Library operations.

The FOIA Coordinator shall, upon written request, furnish a certified copy of a public record at no additional cost to the person requesting the public record.

#### **Section 4: Fee Deposits**

If the fee estimate is expected to exceed \$50.00 based on a good-faith calculation by the Library, the requestor will be asked to provide a deposit not exceeding one-half of the total estimated fee.

If a request for public records is from a person who has not fully paid the Library for copies of public records made in fulfillment of a previously granted written request, the FOIA Coordinator will require a deposit of 100% of the estimated processing fee before beginning to search for a public record for any subsequent written request by that person when all of the following conditions exist:

- the final fee for the prior written request is not more than 105% of the estimated fee;
- the public records made available contained the information sought in the prior written request and remain in the Library's possession;
- the public records were made available to the individual, subject to payment, within the time frame estimated by the Library to provide the records;
- 90 days have passed since the FOIA Coordinator notified the individual in writing that the public records were available for pickup or mailing;
- the individual is unable to show proof of prior payment to the Library; and
- the FOIA Coordinator has calculated a detailed itemization that is the basis for the current written request's increased estimated fee deposit.

The FOIA Coordinator will not require an increased estimated fee deposit if any of the following apply:

- the person making the request is able to show proof of prior payment in full to the Library;
- the Library is subsequently paid in full for the applicable prior written request; or
- 365 days have passed since the person made the request for which full payment was not remitted to the Library.

#### **Section 5: Calculation of Fees**

A fee will not be charged for the cost of search, examination, review and the deletion and separation of exempt from nonexempt information unless failure to charge a fee would result in unreasonably high costs to the Library because of the nature of the request in the particular instance, and the Library specifically identifies the nature of the unreasonably high costs.

The following factors shall be used to determine an unreasonably high cost to the Library:

- The particular request incurs costs greater than incurred from the typical or usual request received by the Library.
- Volume of the public record requested.
- Amount of time spent to search for, examine, review and separate exempt from non-exempt information in the record requested.
- Whether public records from more than one Library department or various Library offices is necessary to respond to the request.

- The available staffing to respond to the request.
- Any other similar factors identified by the FOIA Coordinator in responding to the particular request.

The Library may charge for the following costs associated with processing a FOIA request:

- Labor costs directly associated with searching for, locating and examining a requested public record.
- Labor costs associated with a review of a record to separate and delete information exempt from disclosure of information which is disclosed.
- The actual cost of computer discs, computer tapes or other digital or similar media.
- The cost of duplication of publication, not including labor, of paper copies of public records.
- The cost of labor associated with duplication or publication, including making paper copies, making digital copies or transferring digital public records to non-paper physical media or through the Internet or other electronic means.
- The actual cost of mailing or sending a public record.

Labor costs will be calculated based on the following requirements:

- All labor costs will be estimated and charged in 15 minute increments with all partial time increments rounded down<sup>†</sup>.
- Labor costs will be charged at the hourly wage of the lowest-paid Library employee capable of doing the work in the specific fee category, regardless of who actually performs work.<sup>‡</sup>
- Labor costs will also include a charge to cover or partially cover the cost of fringe benefits. The Library may add up to 50% to the applicable labor charge amount to cover or partially cover the cost of fringe benefits, but in no case may it exceed the actual cost of fringe benefits.
- Overtime wages will not be included in labor costs until agreed to by the requestor; overtime costs will not be used to calculate the fringe benefit cost.

The cost to provide records on non-paper physical media when so requested will be based on the following requirements:

- Computer disks, computer tapes or other digital or similar media will be at the actual and most reasonably economical cost for the non-paper media.

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<sup>†</sup> The cost of labor directly associated with duplication, publication or transferring records to non-paper physical media can be charged in time increments of the public body's choosing with all partial increments rounded down.

<sup>‡</sup> If using contract or outside labor to separate and delete exempt material from non-exempt material, the public body must clearly note the name of person or firm who does the work and the total labor cost may not exceed an amount 6 times the state minimum hourly wage, which is currently \$8.15.

- This cost will only be assessed if the Library has the technological capability necessary to provide the public record in the requested non-paper physical media format.
- In order to ensure the integrity and security of the Library's technological infrastructure, the Library will procure any requested non-paper media and will not accept non-paper media from the requestor.

The cost to provide paper copies of records will be based on the following requirements:

- Paper copies of public records made on standard letter (8 ½ x 11) or legal (8½ x 14) sized paper will not exceed \$.10 per sheet of paper. Copies for nonstandard sized sheets of paper will reflect the actual cost of reproduction.
- The Library may provide records using double-sided printing, if cost-saving and available.

The cost to mail records to a requestor will be based on the following requirements:

- The actual cost to mail public records using a reasonably economical and justified means.
- The Library may charge for the least expensive form of postal delivery confirmation.
- No cost will be made for expedited shipping or insurance unless requested.

If the FOIA Coordinator does not respond to a written request in a timely manner, the following shall be required:

- Reduce the labor costs by 5% for each day the Library exceeds the time permitted under FOIA up to a 50% maximum reduction, if any of the following applies:
  - The late response was willful and intentional.
  - The written request, within the first 250 words of the body of a letter facsimile, e-mail or e-mail attachment, conveyed a request for information
  - The written request included the words, characters, or abbreviations for "freedom of information", "information", "FOIA", "copy" or a recognizable misspelling of such, or legal code reference to MCL 15. 231 et seq or 1976 Public Act 442 on the front of an envelope or in the subject line of an e-mail, letter or facsimile cover page.
- Fully note the charge reduction in the Detailed Itemization of Costs Form.

### **Section 6: Waiver of Fees**

The cost of the search for and copying of a public record may be waived or reduced if, in the sole judgment of the FOIA Coordinator, a waiver or reduced fee is in the public interest because such can be considered as primarily benefitting the general public.

The FOIA Coordinator will waive the first \$20.00 of the processing fee for a request if the person requesting a public record submits an affidavit stating that they are:

- indigent and receiving specific public assistance; or
- if not receiving public assistance stating facts demonstrating an inability to pay because of indigency.

An individual is not eligible to receive the waiver if:

- the requestor has previously received discounted copies of public records from the Library twice during the calendar year; or

- the requestor requests information in connection with other persons who are offering or providing payment to make the request.

An affidavit is a sworn statement. The FOIA Coordinator may make a Fee Waiver Affidavit Form available for use by the public.

A nonprofit organization designated to by the State to carry out activities under subtitle C of the Developmental Disabilities Assistance and Bill of Rights Act of 200 and the Protection and Advocacy for Individuals with Mental Illness Act, or their successors, if the request meets all of the following requirements:

- is made directly on behalf of the organization or its clients;
- is made for a reason wholly consistent with the mission and provisions of those laws under Section 931 of the Mental Health Code, MCL 330.1931;
- is accompanied by documentation of its designation by the State.

### **Section 7: Appeal of a Denial of a Public Record**

When a requestor believes that all or a portion of a public record has not been disclosed or has been improperly exempted from disclosure, he or she may file an appeal of the denial with the Library Board, as the governing body of the Library. The appeal must be in writing, specifically state the word "appeal" and identify the reason or reasons the requestor is seeking a reversal of the denial. The Library Board shall designate the FOIA Coordinator to receive the written appeal and to immediately notify the head of the Library Board of its receipt.

Under section 10(3) of the FOIA, MCL 15.240(3), the Library Board is not considered to have received a written appeal until the first regularly scheduled meeting of the Library Board following submission of the written appeal.

Should the Library Board decide to consult with the Library's legal counsel on the appeal, it must comply with the time periods set forth in the FOIA for written responses as well as the provisions of the Michigan Open Meetings Act, 1976 PA 267, MCL 15.261 *et seq.* The Library board will respond in writing by:

- reversing the disclosure denial;
- upholding the disclosure denial; or
- reverse the disclosure denial in part and uphold the disclosure denial in part.
- Under unusual circumstances, such as the need to examine or review a voluminous amount of separate and distinct public records or the need to collect the requested records from numerous facilities located apart from the office receiving or processing the request, the Library Board may issue not more than 1 notice of extension for not more than 10 business days to respond to the appeal.

Whether or not a requestor submitted an appeal of a denial to the Library Board, he or she may file a civil action in Muskegon County Circuit Court within 180 days after the Library Board's final determination to deny the request.

If the court determines that the public record is not exempt from disclosure, the court will award the appellant reasonable attorneys' fees, cost and disbursements. If the court determines that the appellant prevails only in part, the court in its discretion may award all or an appropriate portion of reasonable attorneys' fees, costs and disbursements.

If the court determines that the Library arbitrarily and capriciously violated the FOIA by refusing or delaying the disclosure of copies of a public record, it shall award the appellant punitive damages in the \$1,000.

**Section 8: Conflict with Prior FOIA Policies and Procedures; Effective Date**

To the extent that these Procedures and Guidelines conflict with previous FOIA policies promulgated by the FOIA Coordinator or the Library Board, these Procedures and Guidelines are controlling. To the extent that any administrative rule promulgated by the FOIA Coordinator subsequent to the adoption of this resolution is found to be in conflict with any previous policy promulgated by the FOIA Coordinator or the Library Board, the administrative rule promulgated by the FOIA Board is controlling.

To the extent that any provision of these Procedures and Guidelines or any administrative rule promulgated by the FOIA Coordinator pertaining to the release of public records is found to be in conflict with any State statute, the applicable statute shall control. The FOIA Coordinator is authorized to modify this policy and all previous policies adopted by the FOIA Coordinator or the Library Board, and to adopt such administrative rules as he or she may deem necessary, to facilitate the legal review and processing of requests for public records made pursuant to Michigan's FOIA statute, provided that such modifications and rules are consistent with State law. The FOIA Coordinator shall inform the Library Board of any change to these Policies and Guidelines.

These FOIA Policies and Guidelines become effective July 1, 2015.

## FOIA Fee Itemization Form

(Effective July 1, 2015)

Component	Cost Calculations	Total
<b>1. Labor Costs – Search, Location, and Examination of Records*</b>	<p>Enter the hourly wage of lowest paid employee capable of performing the search, location and examination  <div style="text-align: right;">\$_____ per hour</div></p> <p>Multiply the wage by the fringe benefit multiplier (maximum of 50% of the hourly wage); OR, if the requested information is available online and the requestor request the documents to be provided in another format, the fringe benefit multiplier may exceed 50% (not to exceed actual cost)  <div style="text-align: right;">_____%</div></p> <p>Multiply the hourly wage times the fringe benefit multiplier  <div style="text-align: right;">\$_____ x 1.____ = \$_____</div></p> <p>If stipulated by the requestor, add the hourly overtime wage increment (but do not include in the calculation of fringe benefit costs)  <div style="text-align: right;">\$_____ + _____ = \$_____</div></p> <p>Divide the resulting hourly wage by four (4) to determine the charge per fifteen (15) minute increment  <div style="text-align: right;">\$_____ / 4 = \$_____</div></p>	
	<p>Number of 15 minute increments (partial time increments must be rounded down) multiplied by the permitted rate  <div style="text-align: right;">_____ x \$_____ = \$_____</div></p>	<p style="text-align: right;">\$_____</p>
<b>2. Employee Labor Costs – Redaction*</b>	<p>If performed by the public body's employee:  Enter the hourly wage of lowest paid employee capable of performing the redaction  <div style="text-align: right;">\$_____ per hour</div></p> <p>Multiply the wage by the fringe benefit multiplier (maximum of 50% of the hourly wage); OR, if the requested information is available online and the requestor request the documents to be provided in another format, the fringe benefit multiplier may exceed 50% (not to exceed actual cost)  <div style="text-align: right;">_____%</div></p> <p>Multiply the hourly wage times the fringe benefit multiplier  <div style="text-align: right;">\$_____ x 1.____ = \$_____</div></p> <p>If stipulated by the requestor, add the hourly overtime wage increment (but do not include in the calculation of fringe benefit costs)  <div style="text-align: right;">\$_____ + _____ = \$_____</div></p> <p>Divide the resulting hourly wage by four (4) to determine the</p>	

	charge per fifteen (15) minute increment \$_____ / 4 = \$_____	
	Number of 15 minute increments (partial time increments must be rounded down) multiplied by the permitted rate _____ x \$_____ = \$_____ \$_____	
<b>2. Contracted Labor Costs – Redaction*</b>	If performed by Contracted Labor (Only permitted if the public body does not employ a person capable of redacting the records as determined by the FOIA Coordinator): Name of person or firm contracted: _____  Enter the hourly rate charged by the contractor (may not exceed six (6) times the State minimum wage (i.e. \$8.15x6=\$48.90) \$_____ per hour  Divide the hourly rate by four (4) to determine the charge per fifteen (15) minute increment \$_____ / 4 = \$_____	
	Number of 15 minute increments (partial time increments must be rounded down) multiplied by the permitted rate _____ x \$_____ = \$_____ \$_____	
<b>3. Non-Paper Physical Media</b>	Actual and most reasonably economical cost of: Flash Drives \$_____ x number used _____ = \$_____ Computer Discs \$_____ x number used _____ = \$_____ Other Media \$_____ x number used _____ = \$_____	\$_____
<b>4. Paper Copies</b>	Actual total incremental cost of duplication (not including labor) up to a maximum of 10 cents per page: Letter paper (8 1/2" x 11") number of sheets _____ x \$0.____ = \$_____ Legal paper (8 1/2" x 14") number of sheets _____ x \$0.____ = \$_____ Actual cost of other types of paper: Type of Paper: _____ number of sheets _____ x \$_____ = \$_____ Type of Paper: _____ number of sheets _____ x \$_____ = \$_____ (NOTE: Must print double-sided if available and costs less.)	\$_____
<b>5. Labor Cost – Duplication Copying, and transferring records to non-paper physical media</b>	Enter the hourly wage of lowest paid employee capable of performing the duplication, copying, or transferring digital records to non-paper physical media \$_____ per hour  Multiply the wage by the fringe benefit multiplier (maximum of 50% of the hourly wage); OR, if the requested information is available online and the requestor request the documents to be provided in another format, the fringe benefit multiplier may exceed 50% (not to exceed actual cost) _____%	



	<p>Multiply the hourly wage times the fringe benefit multiplier  <math>\\$ \_\_\_\_\_\_ \times 1.\_\_\_\_\_\_ = \\$ \_\_\_\_\_\_</math></p> <p>If stipulated by the requestor, add the hourly overtime wage increment (but do not include in the calculation of fringe benefit costs)  <math>\\$ \_\_\_\_\_\_ + \_\_\_\_\_\_ = \\$ \_\_\_\_\_\_</math></p> <p>Divide the resulting hourly wage by four (4) to determine the charge per fifteen (15) minute increment  <math>\\$ \_\_\_\_\_\_ / 4 = \\$ \_\_\_\_\_\_</math></p>	
	<p>Number of 15 minute increments (partial time increments must be rounded down) multiplied by the permitted rate  <math>\_\_\_\_\_\_ \times \\$ \_\_\_\_\_\_ = \\$ \_\_\_\_\_\_</math></p>	\$ _____
<b>6. Mailing</b>	<p>Actual cost of mailing records in a reasonable and economical manner:  Cost of mailing: \$ _____</p> <p>Cost of least expensive form of postal delivery confirmation:  \$ _____</p> <p>Cost of expedited shipping or insurance only if specifically stipulated by the requestor:  \$ _____</p>	\$ _____
		Subtotal \$ _____
Waivers and Reductions	<p>Subtract any Fee Waiver or Reduction:  \$20.00 for indigency or nonprofit organization as further described in the Public Body's procedures and guidelines.</p> <p>Any amount determined by the Public Body due to the search and furnishing of the Public Record determined to be in the public interest. \$ _____</p> <p>The reduction amount due to the late response of the Public Body. 5% of fee x _____ days late = _____% reduction (maximum reduction is 50%)</p>	-\$ _____
Deposit	Subtract any good-faith deposit received: \$ _____ -\$ _____	
	<b>Total Due</b>	\$ _____

\*Note: Labor costs for search, location, examination and redaction (categories 1 and 2 on the itemization form) may not be charged unless the failure to charge a fee would result in unreasonably high costs to the

public body because of the nature of the request in the particular instance, and the public body specifically identifies the nature of these unreasonably high costs.

The Court of Appeals has interpreted this provision to require that the determination be made relative to the usual or typical costs incurred by the public body in responding to FOIA requests. The key factor in determining whether the costs are "unreasonably high" is the extent to which the particular request differs from the usual request. *Bloch v Davison Cmty Schools*, (Mich.App. Apr. 26, 2011), 2011 WL 1564645.

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