

# **WHITE LAKE COMMUNITY LIBRARY**

## **LIBRARY POLICY MANUAL**

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# 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 These actions apparently rise from a view that our national tradition of free expression is no longer valid; that censorship and suppression are needed to avoid the subversion of politics and the corruption of morals.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.

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)*

### 2002.1 Individuals

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 within the last three years, and do not have more than \$5 in charges or fines outstanding on them.

If a library card is lost, the cost for a two-part replacement card is \$2.00.

## **2002.2 Institution/Organization Library Cards**

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.

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 Cards**

### **2003.1 Lakeland and Local Policy**

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.

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.

Non-resident cards are \$42, and are valid from January 1 through December 31 each year, except as outlined below.

**2003.2 Prorated Cards** *(Updated 1-27-2016; 4-26-2017)*

A non-resident card purchased **after January 31** is **valid from the date of purchase** thru December 31<sup>st</sup> of the same year and the fee is prorated as follows:

February	\$38.50	May	\$28.00	August	\$17.50	November	\$7.00
March	\$35.00	June	\$24.50	September	\$14.00	December	\$3.50
April	\$31.50	July	\$21.00	October	\$10.50		

**2003.3 Summer-only non-resident cards**

Summer visitors may purchase a non-resident that is valid from June 1 through September 30 only. It can be purchased for \$14.

**2003.4 Non-resident property owner cards**

Anyone whose primary residence is outside the Lakeland service area boundaries but who owns 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.

**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 Unserved 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** (Updated July 2019 and September 2020)

The following checkout periods are in effect:

3 weeks	all books, CDs (music and audiobook), MP3s, vitality kits, and juvenile backpacks
2 weeks	children's Launchpad tablets
1 week	DVDs, magazines, circulating laptops, and Wi-Fi hotspots

## **2005 Renewals** (Updated July 2019)

Most library materials may be renewed up to two times, for the same period as the original loan.

Eligible items will be renewed automatically three days prior to the due date. Renewals may also be made in person, by telephone or online.

Items are not eligible for renewal if another patron has placed a hold on the material; there are more than \$10 in fines or fees on the cardholder's account; or the item type is non-renewable.

## **2006 Overdue Materials** (Updated July 2019) (Updated February 2021)

It is the policy of the library to not assess overdue fines on any materials owned by the library. Borrowers may still be subject to overdue fines assessed on items belonging to other libraries, according to the policy of the owning library.

Customers may elect to receive notices about overdue materials by phone, text, email, or a combination of these options. At a minimum, notification is made when materials are one week overdue. If the item has not been returned after 3 weeks, the customer will be billed for the cost of the item. Patrons not receiving email notices will be sent a paper copy of the bill.

After 63 days, customers with at least one long-overdue item and \$40.00 or more in unpaid charges will be sent to Unique Management Services, Inc., according to Lakeland Library Cooperative policy. An \$8.95 processing charge from Unique is will be added to the customer's account.

When a customer's unpaid charges exceed \$10.00, no further materials may be checked out until the amount owed is reduced to \$10 or below. Customers may set up a payment plan to be approved by the circulation manager or assistant director. Customers who are on a payment plan may not check out materials until their fines are at or below the \$10.00 limit.

See Appendix A, Payment Plan

## **2007 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. 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 overdue 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; 7-24-19)

Customers are responsible for all items checked out on their library cards. Customers will be charged the full replacement cost for any item that is lost or so badly damaged it cannot be used. Nominal fees will be charged for damage such as a missing barcode or torn pages.

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 will be given to the customer. For items belonging to other libraries, the patron is subject to the refund policy of the owning library.

Fines and fees for damaged or lost electronic devices are spelled out in the User Agreement for these items. See Appendix H, User Agreement

The library is not responsible for damages incurred to the customer's own equipment during the use of library-owned materials.

## **2011 Deposit on Headphones for Internet Use** (Updated July 2019)

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

## **2012 Non-circulating Materials** (Updated July 2019)

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

- Reference books
- Archived newspapers
- Local history materials
- Most children's equipment and toys
- Meeting room equipment
- Library furniture

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, Appendix B.

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

## **2013 Holds** (Updated July 2019)

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

Holds may be placed by customers in person, by telephone or on-line. Customers are notified when items arrive. Notification may be by automated phone call, email, or text message. Customers are encouraged to sign up for e-mail notification through the library's website, [wlclib.org](http://wlclib.org), and/or to register for text notification.

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

#### **3004.1 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 or within 20 feet of the main entrance
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.

### **3004.2 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.

### **3004.3 Appeals to 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 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 a child is 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 or 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 Appendix C - Personal Injury/Incident Form

### **3008 Public Internet Access** *(revised 2-25-2015; 12-19-2018; September 2020)*

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, which can be viewed on the ALA website:  
<http://www.ala.org/advocacy/intfreedom/filteringstatement1997>.

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.

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.

Persons wishing to borrow a laptop, hotspot, or other device must present a valid driver's license or state I.D and sign a User Agreement (Appendix H). The device will be checked out on the customer's library card, which must be in good standing (unexpired, under \$10 in fines/fees). A person without a card may borrow a laptop for use on library premises only by filling out a user agreement and providing a valid driver's license or state ID to be held as collateral while they are using the device. The form will be shredded once the item has been returned. Only adults 18 and over may check out laptops and Wi-Fi hotspots.

Desktop computers are available for use by anyone, without the need to present I.D. or a library card. 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 workstation use per day. Children under the age of 10 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. Individuals may not use personal software on library-owned computers, nor remove library-owned peripheral devices from the computers. 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 laptops and other internet-ready 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 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 personal information 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 Appendix D - Display Space Release

### **3011.1 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 and Emergency 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.

The library also maintains a separate document for Pandemic Preparedness and Response. The policy and its related re-opening plan can be found on the website and in a binder in the staff area. The Preparedness and Response policy was approved by the board in May, 2020.

### **3014 Printer/Copier** (updated September 2020)

A printer/copier is provided for the convenience of library customers. Charges are \$.15 per page side for black and white and \$.25 per page side for color. There is no charge for scanning documents and sending to an email address. Staff will assist customers with printing and 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 copier lease 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 for meeting room during regular library hours	\$15 per hour
Rate for Friends' Legacy Room during regular library hours	\$10 per hour
Rate for combined areas during regular library hours	\$25 per hour
Additional charge for use outside normal hours	\$20 per hour

See Appendix E - Meeting Room Use Application Form

### **3017 Overnight Parking**

The library's driveway is open 24 hours a day to allow people to return materials at their convenience, or to access the Wi-Fi signal. 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.

## **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. No conditions may be imposed relating to any gift after its acceptance by the library.

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 Appendix F, Request for Reconsideration of Library Resources Form

## **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** (updated July 2019)

Notary service is available most weekdays or by appointment. There is a fee per page notarized.

## **4012 Fax Service** (updated September 2020)

The library provides outgoing fax service to the public for \$1.00 per job. 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** (Updated July 2019)

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

- Newsletter(s)
- Articles in the local newspapers
- The annual report
- Posters, flyers, bookmarks, and brochures
- In-library displays
- Web page
- Radio and TV
- Social Media

Presentations to community groups may also be made by the director and other staff as needed. The library may be represented at community events such as parades and fairs by library staff or the 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**

People wishing to make a suggestion for improvement, to give a compliment or to register a complaint may do so at the circulation desk or through the library website. Serious complaints are responded to by the library director.

## **5007 Freedom of Information Act (FOIA)** *(added June, 2015 and amended June, 2019)*

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

## **5008 Social Media Policy** *(adopted December, 2018)*

### **5008.1 Purpose**

The library makes use of social media as way of communicating and interacting with our patrons and our community. It is intended to be helpful and informative, and we encourage questions, comments and posts; however, please be aware that they will be monitored and/or moderated for appropriateness according to guidelines established based on industry-wide best practices.

### **5008.2 Comments**

We will be courteous and professional in our postings and ask that others do the same. The library is not responsible for settling arguments between users, nor will a comment be removed solely at the request of a user. The library reserves the right to delete or censor comments with content that:

- Contains a personal attack, insult, racial slur, or any other derogatory term
- Is off-topic and unrelated to the original post
- Uses foul language or is sexually explicit, including "masked" profanity
- Promotes hate or discrimination of any kind
- Is blatant spam, including advertising commercial services or products
- Encourages illegal activity or violates any local, state or federal law
- Contains private or personal information
- Compromises the safety or security of the public

Contains images, video or links to sites that do not conform to these guidelines

Repeated violations of the comment policy may cause the author to be permanently blocked from the library's page(s).

### **5008.3 Availability**

We understand that social media is a 24/7 medium; however, our moderation capabilities are not. We may not see every inappropriate comment right away. We trust in the maturity of our community to ignore personal attacks and negative speech or respond politely. If a user posts a comment that requires a response, it will be answered within two business days between 8 am and 5 pm.

## **6000 Financial Matters**

### **6001 Banking and Investment Policies**

#### **6001.1 Designation of Financial Repositories and Authorized Signatures**

The White Lake Community Library Board shall designate (at their Annual Meeting, or as otherwise necessary) which financial institutions are authorized to hold the White Lake Community Library's funds and shall also designate those persons authorized to sign checks and approve ACH transactions; transfer funds from one library account to another; and initiate authorized ACH transactions.

#### **6001.2 Investment Policy**

##### **1.2.1. Statement of Purpose**

It is the policy of the White Lake Community Library to invest its funds in a manner which will provide the highest investment return with the maximum security while meeting the daily cash flow needs of the White Lake Community Library and to comply with all state statutes governing the investment of public funds.

##### **1.2.2. Scope of Policy**

This investment policy applies to all financial assets of the White Lake Community Library. These assets are accounted for in the various funds of the White Lake Community Library and include the general fund, debt service funds, capital project funds, and any new fund established by the White Lake Community Library.

##### **1.2.3. Investment Objectives**

The primary objectives, in priority order, of the White Lake Community Library's investment activities shall be:

- A. Safety: Safety of principal is the foremost objective of the investment program. Investments shall be undertaken in a manner that seeks to insure the preservation of capital in the overall portfolio.
- B. Diversification: The investments will be diversified by security type and institution in order that potential losses on individual securities do not exceed the income generated from the remainder of the portfolio.
- C. Liquidity: The investment portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated.

D. Return on Investment: The investment portfolio shall be designed with the objective of obtaining a market average rate of return throughout the budgetary and economic cycles, taking into account the investment risk constraints and the cash flow characteristics of the portfolio.

#### 1.2.4. Delegation of Authority

Authority to manage the investment program is derived from state law, Michigan Public Act 24 of 1989, Michigan Compiled Laws 397.182. Management responsibility for the investment program is hereby delegated to the White Lake Community Library Board Treasurer (or their designee) and the White Lake Community Library Director who shall establish written procedures and internal controls for the operation of the investment program consistent with this investment policy. Procedures should include references to: safekeeping, delivery versus payment, investment accounting, repurchase agreements, wire transfer agreements, collateral/depository agreements and banking service contracts. No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the White Lake Community Library Board Treasurer and White Lake Community Library Director. The White Lake Community Library Board Treasurer and White Lake Community Library Director shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials.

#### 1.2.5. List of Authorized Investments

The White Lake Community Library is limited to investments authorized by Michigan Public Act 20 of 1943, as amended, and may invest in the following:

- A. Bonds, securities, other direct obligations and repurchase agreements of the United States or any agency or instrumentality of the United States. (This includes U.S. Treasury Bills, U.S. Treasury Notes, and U.S. Treasury Bonds.)
- B. Certificates of deposit, savings accounts, deposit accounts or depository receipts of a financial institution, provided that the financial institution is eligible to be a depository of funds belonging to the State under a law or rule of the State of Michigan or the United States.
- C. Commercial Paper rated at the time of purchase within the highest classification established by not less than two standard rating services.
- D. Obligations of the State of Michigan and its political subdivisions.
- E. Bankers' acceptance of United States banks.
- F. 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

#### 1.2.6. Safekeeping and Custody

All security transactions, including collateral for repurchase agreements and financial institution deposits, entered into by the White Lake Community Library shall be on a cash basis. Securities may be held by a third party custodian designated by the White Lake Community Library Board

Treasurer and White Lake Community Library Director and evidenced by safekeeping receipts as determined by the White Lake Community Library Board Treasurer.

#### 1.2.7. Standard of Prudence

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

#### 1.2.8. Statement of Ethics

The White Lake Community Library Director, White Lake Community Library Board Treasurer, and any other White Lake Community Library Board members and staff involved in the investment of funds shall refrain from personal business activity that could conflict with the proper execution and management of White Lake Community Library investments or that could impair their ability to make impartial investment decisions.

#### 1.2.9. Investment Activity Report

The White Lake Community Library Director shall provide an annual report to the White Lake Community Library Board concerning the investment of White Lake Community Library funds.

## **6002 Budget & Adjustments**

The White Lake Community Library Board will adopt an annual budget at its November or December meeting for the following calendar year. The White Lake Community Library Director and Bookkeeper are responsible for preparing the proposed budget and presenting it to the Finance Committee, which will in turn review it and recommend it to the full board for approval following the required public hearing.

The budget is a working document. Changes in projections, projects, or unknown events are cause for variations from budget to actual numbers. As such, during the course of the fiscal year (January – December), budget adjustments will be presented by the Director to the Board as needed to keep the budget accurate. Budget adjustments will be requested as needed.

## **6003 Inventory Policies**

### **6003.1 Fixed Assets**

Any asset with a value of \$2,000 or more shall be entered into inventory records, including any applicable identifying information. Assets shall be labeled with an identifying number, and assigned a useful life for depreciation purposes. Inventory shall be checked on a yearly basis to establish changes to inventory information.

### **6003.2 Surplus Items**

Upon determination by the White Lake Community Library Director that stocks of supplies, materials, or equipment is no longer used or has become obsolete or worn out, the White Lake Community Library Director shall have the authority to dispose of, sell, or trade items with individual depreciated value of less than \$1,000 without approval of the White Lake Community Library Board.

## **6004 Purchasing Policies**

### **6004.1 General**

The White Lake Community Library Director shall purchase or contract for supplies and services to the best advantage of White Lake Community Library, procuring the highest quality in supplies and contractual services in the best interest of White Lake Community Library.

### **6004.2 Contracts and Agreements**

The White Lake Community Library Director shall determine which purchases of materials, supplies, equipment and contractual services shall be by contract. All other purchases may be by purchase order. All contracts and agreements valued over \$5,000 shall be submitted to the White Lake Community Library Board for approval. Such contracts shall be signed by the White Lake Community Library Director and/or President of the White Lake Community Library Board, and may be subject to review as to form by a designated attorney.

### **6004.3 Credit Cards**

#### **4.3.1 General**

The White Lake Community Library will maintain corporate credit cards with reasonable credit limits for the purchase of goods and/or services for the official business of the White Lake Community Library, in accordance with Public Act 266 of 1995.

The total combined authorized credit limit of all library credit cards shall not exceed 5% of the total budget for the current fiscal year.

The cards shall be for use by the White Lake Community Library Director and such other staff as the White Lake Community Library Director shall designate.

An employee using a library credit shall submit to the bookkeeper a copy of the receipt and a signed voucher indicating the purpose of the purchase and the account from which it is to be paid.

The Library Director shall not approve payment of a credit card statement until all transactions have been verified.

The balance including interest due on an extension of credit under the credit card arrangement shall be paid for within not more than sixty (60) days of the initial statement date.

#### **4.3.2 Responsibility**

Credit card users shall be responsible for the protection and custody of their respective cards and shall immediately notify the credit card company and the White Lake Community Library Director (or designee) if a credit card is lost or stolen.

Misuse of corporate credit cards will be subject to disciplinary action.

Credit card users shall return the credit card upon termination of his or her employment with White Lake Community Library.

#### **4.3.3 Compliance**



The White Lake Community Library Director shall be responsible for accounting, monitoring, and overseeing compliance with this policy. Pre-approval of credit card usage may be required according to limits established in internal guidelines.

#### **6004.4 Bids**

##### **4.4.1 Cost Under \$5,000**

The White Lake Community Library Director (or designee) is authorized to make purchases for all individual items where the cost per item is under \$5,000.

##### **4.4.2 Cost \$5,000 to Under \$10,000**

For purchases where the cost per individual item is at least \$5,000 but under \$10,000 the White Lake Community Library Director is authorized to make purchases after obtaining pricing from a minimum of two sources, when available. Prior approval by the White Lake Community Library Board is required if the purchase was not part of the approved budget.

##### **4.4.3 Cost \$10,000 to Under \$20,000**

For purchases where the cost per individual item is at least \$10,000 but under \$20,000, the White Lake Community Library Director shall solicit competitive bids and submit the same with a recommendation to the White Lake Community Library Board. Whenever possible, a minimum of three bids will be presented to the board. If deemed necessary by the White Lake Community Library Director or the White Lake Community Library Board, notice of requests for bids may be posted and published in appropriate newspapers or publications and will be published on the White Lake Community Library website not less than ten days before the date for receiving bids.

##### **4.4.4 Cost \$20,000 or More**

For purchases where the cost per individual item is \$20,000 or more, the White Lake Community Library Board shall approve the advertisement for bids and shall specify the method of publication. The White Lake Community Library Director shall solicit such bids or use bids developed by other public organizations and submit the same with a recommendation to the White Lake Community Library Board.

##### **4.4.5 Award of Bids**

Contracts and purchases shall be awarded to the lowest responsible bidder, unless authorized to the contrary by the White Lake Community Library Board. In the event of identical bids, the order shall be awarded to the bidder in the area served by the White Lake Community Library, if any. If there are no local bidders or if local bidders submit identical bids, the contract or purchase shall be awarded to one of the tie bidders by drawing lots in public.

##### **4.4.6 Rejection of Bids**

The White Lake Community Library Board reserves the right to reject any or all bids for any reason.

##### **4.4.7 Professional Services**

No bids shall be required for professional services, but proposals for such will be solicited on a periodic basis.

##### **4.4.8 Waiver of Requirements**

There may be some items for which there is only one supplier, and therefore it may be impossible to have competitive bids on certain items. In such cases, the requirement for bids may be waived by the White Lake Community Library Board.

#### **6004.5 Emergency Purchases**

In the case of purchases, contracts, or agreements valued up to \$25,000, deemed by White Lake Community Library Director to be of an emergency nature, and normally requiring White Lake Community Library Board approval, the White Lake Community Library Board shall be polled (telephone, email, etc.) prior to action being taken, with formal White Lake Community Library Board approval at the next regular or special White Lake Community Library meeting.

### **6005 External and Internal Financial Controls**

#### **6005.1 Approval and Oversight Functions**

The White Lake Community Library Board handles or delegates these functions to ensure public funds are being managed according to rules, regulations, and White Lake Community Library Board actions.

##### **5.1.1 Finance Committee**

The White Lake Community Library shall have a White Lake Community Library Finance Committee as defined in the Board bylaws. The White Lake Community Library Board Vice President shall be the Chair of this committee.

##### **5.1.2 Financial Reports**

Review of financial reports shall take place at each regular White Lake Community Library Board meeting. White Lake Community Library Board members shall have an opportunity to comment on the reports.

##### **5.1.3 Annual Review of Policies**

Annual review and revision of financial and investment policies shall be a regular activity of the White Lake Community Library Finance Committee.

##### **5.1.4 Audits**

The White Lake Community Library Finance Committee shall have the responsibility and authority to conduct internal audits at their discretion. An annual audit shall be conducted by an independent firm chosen by the White Lake Community Library Board.

##### **5.1.5 Purchases**

The White Lake Community Library Director (or designee) is authorized to make all purchases. Prior approval of the White Lake Community Library Board is required for the purchase of individual items where the cost per item is \$10,000 or more and in compliance with the White Lake Community Library's Purchasing Policies.

##### **5.1.6 Compliance**

The White Lake Community Library Finance Committee shall be responsible for verifying compliance with all investment and financial policies.

## **6005.2 Internal Controls and Accounting Functions**

### **5.2.1 General**

The White Lake Community Library Director is responsible for handling all cash and assets of the White Lake Community Library and shall comply with applicable policies and White Lake Community Library Board actions. The White Lake Community Library Director shall be responsible for adopting adequate procedures to ensure the proper authorization of transactions; the appropriate segregation of duties; the proper recording of transactions and events; and adequate safeguards regarding access to and use of assets and records.

### **5.2.2 Cash Receipts**

All receipts shall be handled in a timely manner. Under normal circumstances, deposits shall be made at least once every two weeks.

### **5.2.3 Deposits**

The White Lake Community Library Director (or designee) shall make all deposits and create a record of all such transactions.

### **5.2.4 Purchases**

The White Lake Community Library Director (or designee) shall purchase all goods and services. All receipts and proofs of purchase shall be attached to the invoice.

### **5.2.5 Petty Cash**

The White Lake Community Library Board authorizes a petty cash fund to be used for small miscellaneous purposes. The White Lake Community Director shall serve as petty cash custodian, and shall ensure appropriate documentation is retained for each petty cash transaction.

### **5.2.6 Receipt of Goods**

The White Lake Community Library Director (or designee) shall have the responsibility to receive and inspect goods and services prior to authorizing payment of invoices.

### **5.2.7 Approval of Vouchers and Invoices**

The White Lake Community Library Director (or designee) shall approve all vouchers and invoices. All vouchers and invoices shall be appropriately documented. The Director's expense vouchers shall be approved by an officer of the White Lake Community Library Board.

### **5.2.8 Authorization of Payments**

Prior to making any payments, a list of proposed payments shall be printed and approved. Two signatures shall be required on all such lists, one of which may be that of an authorized White Lake Community Library employee or an officer of the White Lake Community Library Board; the other shall be an officer of the White Lake Community Library Board.

### **5.2.9 Disbursements by Check**

Two signatures shall be required on all checks, with the exception of payroll checks, issued by the White Lake Community Library. One signature shall be that of an authorized White Lake Community Library employee or an officer of the White Lake Community Library Board; the

other shall be an officer of the White Lake Community Library Board. The Library Director shall have the authority to sign all payroll checks. Documentation of all expenditures, such as an invoice or voucher, shall be available to check signers for all disbursements.

#### 5.2.10 Disbursements by ACH

When determined to be in the White Lake Community Library's best interest, disbursements may be made via ACH transactions. All such transactions shall fully comply with applicable White Lake Community Library Board Policies. No automatic ACH payments shall be allowed. Two signatures shall be required before processing ACH payments, one of which may be that of an authorized White Lake Community Library employee or an officer of the White Lake Community Library Board; the other shall be an officer of the White Lake Community Library Board. The exception is federal and state withholding transactions, which will be prepared by the bookkeeper and approved by the director as part of the payroll process. Documentation of all expenditures shall be available to signers for all disbursements.

#### 5.2.11 Recording of Transactions

The White Lake Community Library Director (or designee) shall be responsible for recording all transactions. These transactions are subject to review at any time by the White Lake Community Library Finance Committee and the White Lake Community Library Board.

#### 5.2.12 Mailing Checks

The White Lake Community Library Director (or designee) shall be responsible for mailing all signed checks in a timely manner.

#### 5.2.13 Automated Financial System

The White Lake Community Library Director (or designee) shall be responsible for the operation of the automated financial system, ensuring that only authorized persons shall have access to the financial files.

#### 5.2.14 Security

Arrangements shall be made to ensure against physical damage to financial data.

## **6006 Fund Balance**

### **6006.1 Purpose and Scope**

The purpose of this policy is to establish a framework for the Fund Balance Accounts in the general fund. This policy is to improve the White Lake Community Library's financial stability by maintaining appropriate reserves to withstand economic downturns, state aid reductions, emergencies, natural disasters, short-term capital improvements and operating cash flow needs.

### **6006.2 Definitions**

The following definitions of fund types will be used in reporting governmental fund activity. The Library may or may not report all fund types in any given reporting period based on actual circumstances and activity.

- NONSPENDABLE FUND BALANCE – Includes amounts that cannot be used to liquidate current liabilities because the related assets are either not in spendable form (e.g.

prepaids, inventory, and long-term receivables), or because the related assets are required to be maintained intact (e.g. the corpus of an endowment).

- **RESTRICTED FUND BALANCE** – Includes amounts that are restricted to use by externally imposed requirements or enabling legislation.
- **COMMITTED FUND BALANCE** - Includes amounts that can be used only for the specific purposes determined by a formal action of the White Lake Community Library Board by formal resolution. This category includes the library’s Capital Improvements Fund, which is to be used for major repairs, improvements, or renovations to the White Lake Community Library building and grounds and for Technology Upgrades
- **ASSIGNED FUND BALANCE** – Includes amounts that are intended to be used for specific purposes, but do not meet the stricter definitions of restricted or committed and are determined by a formal action of the White Lake Community Library Board either before or after year end.
- **UNASSIGNED FUND BALANCE** – Represents the residual or any deficit amount in the general fund.

### **6006.3 Policies**

6.3.1 A fund balance of not less than 25% of the annual budget as of December 31 annually will be maintained in the UNASSIGNED FUND BALANCE as approved by the White Lake Community Library Board.

6.3.2 The guidelines and annual allocations will be reviewed by the White Lake Community Library Finance Committee annually and approved by the White Lake Community Library Board.

6.3.3 The use of all Fund Balance Accounts will be determined and approved by White Lake Community Library Board action.

### **6007 Returned Checks**

The White Lake Community Library may charge the maker of any check deposited and subsequently returned by White Lake Community Library’s bank unpaid a fee of \$20.00 in addition to any banking charges. White Lake Community Library will invoice the maker for any fee and any additional banking charges. This invoice shall be due and payable upon receipt.

### **6008 Fraud Prevention**

Fraud generally involves a willful or deliberate act with the intention of obtaining an unauthorized benefit, such as money or property, by deception or other unethical means. All fraudulent acts or related misconduct are included under this policy and include, but are not limited to, such activities as:

- Embezzlement, theft, misappropriation or other financial irregularities.
- Forgery or alteration of documents (checks, time sheets, contractor agreements, purchase orders, other financial documents, electronic files).
- Improprieties in the handling or reporting of financial transactions.
- Misappropriation of funds, securities, supplies, inventory, or any other asset belonging to the Library, its employees, or Library visitors (including collection materials, furniture, fixtures, or equipment).
- Authorizing or receiving payment for goods not delivered/received or services not performed.
- Authorizing or receiving payments for hours not worked.

Fraud or related misconduct will not be tolerated. Employees found to have participated in such conduct will be subject to disciplinary action, up to and including termination.

Any employee or trustee who knows or has reason to know of fraud or related misconduct shall report that to the Executive Director or the Chair of the Board of Trustees. Trustees and employees are expected to use their best efforts to be aware of indications of fraud and related misconduct in their areas of responsibility.

## **6009 Millage Capture**

White Lake Community Library is a taxing authority permitted to levy ad valorem taxes for library purposes by virtue of voter approved millages (“Library Millage”). In keeping with the designated purpose of the approved millage, the White Lake Community Library Board seeks to maintain and preserve Library Millage for library purposes. Municipalities located within the district served by White Lake Community Library are authorized to establish various tax increment authorities under state law and to adopt development and tax increment financing plans that may result in the capture of a portion of Library Millage by such authorities. These tax increment authorities may include, but are not limited to, downtown development authorities, local development finance authorities, and corridor improvement authorities. Under certain circumstances, the White Lake Community Library Board is authorized to exempt Library Millage from capture by such authorities. As a means of preserving Library Millage for library purposes, the Library Board will exercise its right to exempt Library Millage from capture by such authorities to the extent permitted by law.

**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**

Please attach library card, student I.D. or driver's license here;  
this form and the I.D. are to be held in a secure location  
while the materials are in use.

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 \_\_\_\_ 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 would suggest to provide additional information and/or other viewpoints on this topic?

\_\_\_\_\_

## **FREEDOM OF INFORMATION ACT PROCEDURES & GUIDELINES**

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

It is the policy of the White Lake Community Library (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.

A request must include the requester's name, address, and contact information. If the requester is not an individual, the request must include the name, address, and contact information of the individual acting as the requester's agent. The address must be written in compliance with United States Postal Service addressing standards. Contact information must include a valid telephone number or electronic mail address. This requirement does not apply to an individual who qualifies as indigent under Section 4(2)(a) of FOIA.

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.

When a deposit is required, the library will provide a written notice of deposit to the requester. The notice of deposit will include the date by which the deposit must be received, which is 45 days from the date the requester received the notice. The notice of deposit is considered received by the requester 3 days after it is sent, regardless of the means of transmission. If the library has not received the deposit by the due date, and the requester has not filed an appeal of the deposit amount, the request shall be considered abandoned by the requester.

### **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†.
- 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. 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.
- 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.

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† 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.

‡ 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.

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 became effective July 1, 2015 and were updated in 2019.

# WHITE LAKE COMMUNITY LIBRARY

## WRITTEN PUBLIC SUMMARY OF FOIA PROCEDURES AND GUIDELINES

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Consistent with Public Act 563 of 2014 and Public Act 523 of 2018 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.
- A request must include the requester's name, address, and contact information.
  - If the requester is not an individual, the request must include the name, address, and contact information of the individual acting as the requester's agent.
  - The address must be written in compliance with United States Postal Service addressing standards.
  - Contact information must include a valid telephone number or electronic mail address.
  - This requirement does not apply to an individual who qualifies as indigent under Section 4(2)(a) of FOIA.
- 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 [info@wlclib.org](mailto:info@wlclib.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.
- When a deposit is required:
  - The library will provide a written notice of deposit to the requester.
  - The notice will include the date by which the deposit must be received, which is 45 days from the date the requester received the notice.
  - The notice of deposit is considered received by the requester 3 days after it is sent, regardless of the means of transmission.
  - If the library has not received the deposit by the due date, and the requester has not filed an appeal of the deposit amount, the request shall be considered abandoned by the requester.

### **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 and in the full policy manual on the website at [wlclib.org](http://wlclib.org)

## FOIA Fee Itemization Form

(Effective July 1, 2015)

<b>Component</b>	<b>Cost Calculations</b>	<b>Total</b>
<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>	<div style="text-align: right;">\$_____</div>
<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 charge per fifteen (15) minute increment</p>	

	\$ _____ / 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>	<p>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: _____</p> <p>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</p> <p>Divide the hourly rate by four (4) to determine the charge per fifteen (15) minute increment \$ _____ / 4 = \$ _____</p>	
	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>	<p>Actual and most reasonably economical cost of: Flash Drives \$ _____ x number used _____ = \$ _____ Computer Discs \$ _____ x number used _____ = \$ _____ Other Media \$ _____ x number used _____ = \$ _____</p>	\$ _____
<b>4. Paper Copies</b>	<p>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.)</p>	\$ _____
<b>5. Labor Cost – Duplication Copying, and transferring records to non-paper physical media</b>	<p>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</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</p>	

	<p>multiplier may exceed 50% (not to exceed actual cost) _____ %</p> <p>Multiply the hourly wage times the fringe benefit multiplier \$ _____ x 1. _____ = \$ _____</p> <p>If stipulated by the requestor, add the hourly overtime wage increment (but do not include in the calculation of fringe benefit costs) \$ _____ + _____ = \$ _____</p> <p>Divide the resulting hourly wage by four (4) to determine the charge per fifteen (15) minute increment \$ _____ / 4 = \$ _____</p>	
	<p>Number of 15 minute increments (partial time increments must be rounded down) multiplied by the permitted rate _____ x \$ _____ = \$ _____</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: \$ _____ - \$ _____	
	Total Due	\$ _____

\*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.

White Lake Community Library  
User Agreement for Hotspots and Laptops

First and Last Name \_\_\_\_\_ Date \_\_\_\_\_

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

Library Card Number \_\_\_\_\_

In order to borrow a Mobile Wi-Fi hotspot and/or laptop, you must:

- Be at least 18 years old.
- Have a current unexpired WLCL library card (tan card) with no more than \$10.00 in fines/fees.

Your signature indicates your agreement to the following:

- I understand that the internet access provided by the hotspot is filtered.
- I accept full responsibility for the Wi-Fi Hotspot and/or laptop while it is checked out to me.
- I will not attempt to alter the device in any way, including changing passwords.
- I understand that the hotspot and/or laptop is on loan for 7 days.
- I will return the hotspot and/or laptop in person to a library staff member at the circulation desk, not in the book drop and not to another library.
- **I will be charged a \$5.00 fee if the hotspot or laptop is returned in the book drop or to another library.**
- I understand that if the hotspot is overdue, the library will shut down the internet connection on the device and I will be charged a fine of \$1.00 for each day that the device is overdue. If a laptop is overdue, I understand I will be charged a fine of \$1.00 for each day that the device is overdue.
- I accept full financial responsibility for the hotspot and/or laptop and agree to pay all costs associated with damage to or loss of the device and/or the accessories while checked out to me. I will pay the replacement fee for the device and all the associated costs if the device is not returned.
- Hotspot device replacement costs will be: \$150.00 (covers the device, the administrative fee from TechSoup, and the year of pre-paid service required). If only the carrying case, USB power cable, and/or USB wall charger adapter are lost or damaged, I will be charged the current retail price to cover replacement of those items. Laptop replacement costs will be: \$225.00. If only the carrying bag, power cable and/or mouse are lost or damaged, I will be charged the current retail price to cover replacement of those items.
- I understand the White Lake Community Library may use appropriate means to collect the amount owed by me for fees, damages, or loss.
- If I encounter any problem with the hotspot and/or laptop, I will return it and all its component parts to the library.
- I have read and agree to the library's Mobile Hotspot and Laptop User Agreement and Internet Use Policy and agree to use the devices in a responsible manner, consistent with the educational and informational purpose for which they are provided and not for any unauthorized, unethical, or illegal purposes.

Any Internet use contrary to the policy outlined above may, at the sole discretion of library staff, result in the loss of the library Mobile Wi-Fi hotspot and/or laptop, and/or Library Internet privileges.

Borrower's signature \_\_\_\_\_