

# PAW PAW DISTRICT LIBRARY BY-LAWS AND LIBRARY BOARD POLICIES

## INDEX

Mission Statement	page 2	Lost Materials	page 8
By-Laws	page 2	Materials Selection	page 10
Bulletin Board Policy	page 20	Mission Statement	page 2
Circulation Policy	page 6	New Cardholders	page 7
Community Room/ Program Space	page 21	Overdue Materials	page 7
Complimentary Cards	page 6	Personnel Policy	page 12
Continuing Education	page 19	Photocopy Policy	page 20
Credit Card Policy	page 24	Reciprocal Material Borrowing	page 18
Dress Code Policy	page 25	Rules of Conduct	page 11
Drug & Smoke Free Workplace	page 19	Skateboard Policy	page 25
Electronic Device Policy	page 25	Staff Privileges	page 7
Freedom of Information	page 26	Study Room Use	page 23
Incident/Accident Report	page 12	SSN Privacy Use Policy	page 25
Internet Use Policy	page 8	Visits by Young Children	page 12
Loan Periods	page 7		
Lost Library Cards	page 7		

# MISSION STATEMENT

The Paw Paw District Library is dedicated to creating community by providing access to quality materials, technology and services, while inspiring a passion for reading and lifelong learning in a welcoming environment.

Originally adopted July 10, 1972; amended June 28, 1976; Revised and adopted October 12, 1987; amended December 14, 1987; amended December 12, 1988; amended October 9, 1989 amended April 18, 2016.

## BY-LAWS

### ARTICLE I. NAME AND PURPOSE

- Section 1. The library shall be designated and known as the “Paw Paw District Library.”
- Section 2. The purpose of this organization shall be to establish, maintain, and operate a public library for the district bounded by the limits of the Paw Paw School District, which includes the Village of Paw Paw as well as portions of the townships of Paw Paw, Alma, Antwerp, Waverly, and Lawrence.
- Section 3. The activities of this organization shall be limited to charitable, educational, religious, or scientific purposes as set forth for tax-exempt institutions under Section 501 (c) (3) of the Internal Revenue Code of 1954 or the corresponding provisions of any future United States Internal Revenue Law.

### ARTICLE II. MEMBERSHIP OF THE BOARD

- Section 1. Membership on the Paw Paw District Library Board shall be governed by applicable State law.
- Section 2: The Board shall consist of seven members elected at large from the district. Members shall be elected every other year at the regular school election for a term of four years, commencing in 2014 when four are elected and continuing in 2016 when three are elected with the Board member terms to begin on January 1 immediately following the election.
- Section 3. A vacancy on the Board shall be filled pursuant to the requirements set forth in the District Library Establishment Act, Section 10 (7), 1989 Public Act 24, Michigan Compiled Laws §397.181.

Revised February 20, 2012

### ARTICLE III. OFFICERS

- Section 1. The officers of the Board shall be a President, Vice-President, Secretary, and Treasurer.
- Section 2. The officers shall be elected at the annual organizational meeting for a term of one year. Vacancies shall be filled by ballot at the next regular meeting of the Board after the vacancy occurs.
- Section 3. The duties of the officers shall be those which are required by law or by this Board. If not otherwise specified, they shall be the same as those usually assigned to their respective offices.

### ARTICLE IV. MEETINGS

- Section 1. The regular meeting of the Board shall be the third Monday of the month at 7:00 P.M. at the library. The July meeting shall be the annual organizational meeting.
- Section 2. Special meetings may be called by the President, or upon written notice of four members, for the transaction of business as stated in the call. Notice stating the time and place of any special meeting and the purpose for which called shall be given each member of the Board at least 24 hours in advance of such meeting.
- Section 3. A quorum for transaction of business shall consist of four members.
- Section 4. The order of business at regular meetings shall be:
- Call to order
  - Public comment (limit: five minutes per speaker)
  - Reading and approval of minutes
  - Approval of bills
  - Report of the Library Director
  - Committee reports
  - Communications
  - Unfinished business
  - New business
  - Adjournment
- Section 5. Robert's Rules of Order, latest revised edition, shall govern the parliamentary procedure of the Board.
- Section 6. Library Board meetings shall be open to the public. Any person who wishes to speak may do so during the "Public Comments" time. Speakers must give their name and address and may be asked to limit comments to five minutes. Any organized group, with several persons wishing to speak on the same topic, must give the Board advanced notice of its attendance.

### ARTICLE V. COMMITTEES

- Section 1. Standing committees, of such kind as the Board may deem desirable, shall be appointed by the President at the annual meeting.
- Section 2. Standing committees shall consist of two or three members of the elected Library Board. Their term of office shall be one year. The President of the Board shall be an ex-officio member of all committees.
- Section 3. Special committees may be appointed by the President for the study of special problems, to serve until the final report of the work for which they were appointed has been made, or the committee discharged.
- Section 4. No committee shall have the power to make any commitments binding upon the Board unless specifically authorized by the Board to do so, in which case such authority shall be made a part of the minutes of the meeting of the Board.

#### ARTICLE VI. EMPLOYEES

- Section 1. The Board shall have the power to appoint and employ a suitable library director and necessary assistants or other employees, and fix their compensation, and shall have the power to remove such appointees or employees at any time.
- Section 2. The library director shall be considered an ex-officio member of the Board, and shall attend all Board meetings.
- Section 3. The library director shall enforce and observe such policies for the governing of the library as may be established by the Board. He/she shall be responsible for the direction and governing of the library staff, within guidelines as adopted by the Board.

#### ARTICLE VII. PRESIDENT REPORTS

- Section 1. The President of the Board, or such other member of the Board as may be designated, shall make such reports to the State of Michigan as may be required from time to time by State law, rules, or regulations.
- Section 2. On or before the second Monday of February each year, the President or his representative shall make a report to the library district covering the preceding calendar year, which report shall encompass the following items:
- a. The condition of the library fund at the end of the calendar year.
  - b. The amount of money received from various sources during the year, and how such monies have been expended and for what purposes.
  - c. The number of books and periodicals on hand.
  - d. The number added by purchase, gift, or otherwise during the year.
  - e. The number lost or missing or damaged beyond repair.
  - f. The number of persons utilizing the library facilities during the year.
  - g. The number of books loaned out during the year.

- h. Such other statistics or information as the board may deem of general interest.

Section 3. In addition to the information set forth in Section 2. of this Article, the President or his/her representative shall, on or before the second Monday of each November, prepare a budget containing an estimate of the amount of money necessary for the support and maintenance of the library for the ensuing fiscal year.

#### ARTICLE VIII. FUNDING

Section 1. The fiscal year shall be from January 1 to the following December 31.

Section 2. Each bill, claim, or statement of expense (except regular employees' salaries) to be paid by library funds shall be approved by the Board at a regular meeting before such claims may be paid. Such claims shall become a part of the minutes of each meeting.

Section 3. The library shall indemnify any and all of its Board members against expenses actually and necessarily incurred by them in connection with the prosecution of any action in which they are a party by reason of being or having been a Board member, except in relation to matters as to which such Board member shall be determined to be guilty of intentional misconduct or gross negligence.

Section 4. Upon the dissolution of the library, the Library Board shall pay or make provisions for the payment of all of the liabilities of the library. The remainder of the library's assets shall be distributed in accordance with the rules and regulations of the Internal Revenue Service and State of Michigan.

#### ARTICLE IX. AMENDMENTS

Section 1. Each Board member shall be notified of any proposed amendment to these By-laws at least two weeks before any meeting at which such proposed amendment is to be voted upon.

Section 2. The By-laws may be amended at any regular meeting or special meeting properly called, provided the requirements of Section 1 are met, by vote of at least four members of the Board.

Adopted October 12, 1987; updated December 12,1988, July 9,1990, May 13, 1996, August 21,1996, April 14, 1997, March 20, 2002

# **POLICIES**

## **CIRCULATION POLICY**

The Paw Paw District Library was established to provide library service to the residents of the Paw Paw School District. The library's funding is based on a voted property tax paid by those residents along with penal fines, state aid, donations, and other miscellaneous income.

All borrowers from the Paw Paw District Library must be registered and have a Resident or Nonresident library card. Each applicant for a Resident library card must fill out a registration form with a current residence address. Although the mailing address may be a P.O. or P.M.B. Box, the actual address of the residence must be given on the form. The applicant must prove residency or property ownership in the school district by showing a current driver's license or state ID card, car registration, telephone or utility bill, property deed, tax bill or receipt, lease agreement, or student school schedule or report card.

If the applicant is under 18 years of age and does not presently have a library card, the application for a library card must include the signature and proof of residency of the parent or guardian. The adult who makes the application accepts responsibility for all library materials which might be lost or damaged along with all overdue fines. Applicants must state their age along with the name(s) of parent(s) or guardian.

Borrowers who live outside the library district boundaries may obtain a Nonresident library card by paying an annual fee. The amount of the fee will be determined annually by the board. Nonresidents who own property in the district but do not reside in the district must provide a copy of their most recent tax bill which shows the amount of taxes paid in support of the Paw Paw District Library. That amount will be applied toward the nonresident fee for a library card. When a card is issued to a nonresident property owner, the card will be a Nonresident library card and the record will show their actual home address and telephone number.

Library cards will not be issued to persons who have lost or overdue books or outstanding fines until these matters are cleared up.

Institutions (agencies, businesses, private schools, churches, etc.) located within the school district may request a library card by submitting a request in writing on official letterhead. The signer of the letter will assume responsibility for any loss or damage to library materials borrowed on the card. The letter should include a statement to the effect that the card is requested for institutional use and not for personal use by any employees.

RECIPROCAL MATERIAL BORROWING POLICIES are set forth herein.

## **COMPLIMENTARY CARDS**

Teachers in the Paw Paw School District who live outside the district may have a complimentary card for as long as they teach in the district.

## **NEW CARDHOLDERS**

New registrants are limited to two items (not I-pods) on the day the new library card is first issued. After those items are returned, the limit will be lifted.

## **LOST OR FORGOTTEN CARDS**

Patrons are encouraged to keep track of their cards and present them each time they wish to check out materials. If you lose or forget your card, you may be asked to present valid identification in order to sign out library materials.

Lost cards will be replaced for a fee as determined by the Library Board from time to time.

## **STAFF PRIVILEGES**

Library staff may borrow any library materials free of charge for their own use, but not for the use of friends. All materials must be checked out. No unprocessed materials may be checked out. Staff may not check out materials which have a waiting list unless their name is next on the list.

## **LOAN PERIODS**

Books are checked out for two weeks and may be renewed if there is not a waiting list. Requests for renewal are taken over the telephone during business hours. Overdue fines shall be as determined by the Library Board from time to time

Reference books do not circulate.

Periodicals (with the exception of the most current issues) may be checked out for two weeks and renewed for two weeks if there is not a waiting list.

Electronic media may be signed out for two weeks, except videos may be signed out for only one week. The fine for overdue videos shall be as determined by the Library Board from time to time. There is a maximum of three videos per card.

## **OVERDUE MATERIALS**

Overdue materials shall be subject to fines as determined by the Library Board from time to time. When materials are overdue, several measures will be made to notify the patron.

Careful records will be kept of all attempts made by library staff to recover overdue materials including telephone calls made, special responses of the patron, or follow-up letters sent, if necessary.

No new registration cards will be issued or special research needs met for patrons with excessive unpaid overdue fines.

Amnesty periods to encourage return of overdue materials will be held periodically.

## **LOST BOOKS AND OTHER MATERIALS**

If a book or other material is thought to be lost, a record will be made of the information and one month allowed for the item(s) to be located and returned. During this time, both patron and library staff will search for the missing material.

If at the end of one month the book is not found, the patron will be charged the list price of the book, regardless of the age of the book.

The fine charge stops when the material is reported lost. If found, the patron pays the fine only up to the time the material was reported lost. If the patron pays the replacement cost for the item, no fine is charged.

If the patron finds the material after it has been replaced, a refund is not given. Prior to the library's replacement of the item, the fee may be returned to the patron.

If a patron refuses to pay for a lost book, borrowing privileges will be suspended.

Adopted January 13, 1997; amended October 2005

## **INTERNET USE POLICY**

The Paw Paw District Library provides access to information resources through the Internet subject to the following:

### **1. INTERNET ACCESS**

- A. Internet access shall be made reasonable, fair and equitable to all users in accordance with the American Library Association's "Access to Electronic Information, Service, and Networks: an Interpretation of the Library Bill of Rights."
- B. Internet communications shall be considered private, and confidentiality will be encouraged within the limits of a public environment, the technology of the equipment, and the requirements of the law. However, the library staff reserves the right to ask individuals to discontinue the display of information and images which cause a disruption.
- C. The library assumes no responsibility for any damages, direct or indirect, arising from its connections to the Internet.
- D. The Internet offers access to many valuable local, national, and international sources of information. Not all sources on the Internet provide accurate, complete or current information. The library is not responsible for the accuracy of information found on the Internet.
- E. Users are cautioned that ideas, points of view, and images can be found on the Internet which are controversial, divergent, and/or inflammatory. The provision of access does not mean or imply that the library endorses or sanctions the content or point of view of any of the information or commentary which may be found on the Internet.



2. **CHILD SAFETY ON THE INTERNET**

- A. Parents or Guardians are responsible for supervision of their children who use the Internet and for information selected and/or accessed by their children. Children who use the Internet without parental supervision may be exposed to inappropriate or disturbing information and images.
- B. Library staff will monitor computer usage by observing from staff desks, by periodically walking by the computer stations and by checking each station daily.
- C. The Paw Paw District Library will endeavor to be aware of, and follow, current applicable state and federal Child Internet Safety laws.

3. **USER RESPONSIBILITIES AND GUIDELINES**

- A. Each person who wishes to use a computer must register first. Users under the age of 18 will need parent to sign for them to register. Users under the age of 8 will not be allowed to use an Internet access computer without a parent present and sitting at the computer with them. It will be necessary to sign up to reserve computer time. Users will sign up to use a computer for one hour, and may continue computer usage if no one else is waiting to use the computer for a maximum period of two hours per day.
- B. Computer equipment is designed for personal use (one person per terminal), not group use. Exceptions may be made when staff instruction is needed or if prior arrangements are made.
- C. Library computers are not to be used for illegal activities.
- D. Use of personal CDs, thumb or other portable drives is prohibited, except as specifically authorized by the Library Staff.
- E. Downloading or saving information to the library computer is prohibited.
- F. Violations of library guidelines and/or involvement in certain prohibited practices in Internet use may lead to the suspension or revocation of Internet access through the library.

4. **STAFF ASSISTANCE**

The library cannot guarantee that Internet-trained staff will be available to assist users at all times the library is open. Regrettably, staff is not able to offer extensive explanations about the Internet or personal computer use or provide in-depth training. Time permitting, staff will try to answer specific questions about the Internet and offer suggestions for effective searching. Staff can provide information about Internet books and manuals which may be available.

## MATERIALS SELECTION POLICY

### 1. PHILOSOPHY

The Paw Paw District Library endorses the basic policies and principles as expressed in the American Library Association's Library Bill of Rights and Freedom to Read statement.

The objective of the Paw Paw District Library is to provide library services for all residents of the Paw Paw library district without regard to race, color, or creed.

### 2. RESPONSIBILITY

The ultimate responsibility of materials selection shall be at the discretion of the Director.

### 3. BOOK SELECTION POLICIES

- A. Book Selection. Points considered in book selection are literary, educational, informational, and recreational value; authority and effectiveness of presentation qualities conducive to critical thought and understanding; and available funds and space. In the case of controversial questions, variety and balance of opinion are sought whenever available.
- B. Exclusions. If a book is not chosen for the library collection, it has been excluded because it does not measure up to the library's standards, because the library already has adequate coverage in the subject, or because of budget limitations. Books recognized as classics, however, are purchased as a matter of course.
- C. Textbooks. It is not the purpose of the collection to serve as an elementary or high school or college supplementary library, although many of its books and materials may be so used.
- D. Duplications. Titles are admitted only if they meet the standards of selection and will be duplicated if the demand increases, subject, of course, to budget limitations and to the timely or permanent value of the material.
- E. Replacements. Material withdrawn from the collection because of wear, damage, or loss is not automatically replaced. The decision for replacement is made with regard to several factors: the demand for the particular title or subject, the importance of the author and the significance the particular title holds among the author's works, the possible availability of later and better material, either already in the collection or on the book market.
- F. Gifts. The library accepts gifts without commitment as to the final disposition.
- G. Pamphlets. The selection of pamphlets and non-book material follow the same general policy outlined for the selection of books. Pamphlets which

distort facts, intrude commercial messages unduly, or contain misleading statements are not added.

- H. Religion. In the literature of religion, library selection must be broad, tolerant, without partisanship or propaganda, yet with authority, timeliness and good literary quality. Should religious groups wish to present books representing their faith, these books should be general explanatory in nature, rather than doctrinal.

#### 4. **PROCEDURE FOR HANDLING CHALLENGED OR QUESTIONED MATERIAL**

Since opinions may differ in a democracy, the following procedures will be observed in recognizing those differences in an impartial and factual manner.

- A. Citizens of the Paw Paw library district may register their criticism with the Library Director, who will refer it to the Library Board. The Library Board will handle all requests for review. The questioned material will be read and evaluated with specific objections and book selection policy in mind.
  - 1. All criticism must be presented in writing. The statement must include specific information as to the author, title, publisher, reason for objection and page number of each item to which objection is made.
  - 2. The statement must be signed and identification given which will allow proper reply.
- B. Requests for review of the Library Board's decision should be made in writing to the Paw District Library Board. The decision of the Board shall be final and shall be sent in writing to the complainant.

Adopted October 10, 1987; updated July 9, 1990; May 11, 1992

### **RULES OF CONDUCT**

The rights of an individual to use the Paw Paw District Library should not be abridged or denied. To guarantee these rights for all persons, no library patron shall engage in behaviors prohibited by library policy, either inside the library building or on the library grounds.

No person shall:

- 1. Make solicitations for any reason.
- 2. Eat or drink in the building except in designated areas or as part of library-sponsored programs or as provided in the Community Room/Program Space policy;
- 3. Willfully annoy another person;
- 4. Damage or deface public property;
- 5. Improperly remove library materials or equipment;
- 6. Loiter in or around the library;
- 7. Engage in loud or boisterous conduct;

8. Be in a state of intoxication or under the influence of a controlled substance in a manner that causes a public disturbance;
9. Utter profane, obscene, or injurious language directed at another person;
10. Remain in the building after its regular closing hours;
11. Enter or remain in the library building without a shirt or shoes;
12. Interfere with other library patrons' use of the facilities through extremely poor personal hygiene;
13. Sleep in the library for an extended period of time (more than 10 minutes);
14. Violate any state or village ordinance in the library or on library grounds.

It is the charge of the Paw Paw District Library staff to see that the rights of individuals to use the library are upheld. The library staff is obligated to enforce these rules so that facilities can be used to the fullest by all persons.

Adopted October 10, 1987; updated July 9, 1990; May 11, 1992

### **VISITS BY YOUNG CHILDREN**

The Paw Paw District Library encourages visits by young children to the Children's Room, and it is our desire to make this important visit both memorable and enjoyable for the child. The library staff is not expected to assume responsibility for care of unsupervised children in the library.

Therefore, it is library policy that all children under age seven must be accompanied by a parent or designated responsible person while in the library. Also, if the young child is attending a library program, we require the parent/responsible person to pick up the child promptly at the announced closing time of the program.

### **ACCIDENT / INCIDENT AND REPORTING FORMS**

If an incident/accident to a patron or staff member takes place on library property, an Incident/Accident Report must be filled out as soon as possible, preferably on the same day on the form approved by the Board. The director or the supervising staff member, if the Library Director is not available, should be notified immediately. If an accident or medical emergency occurs and the patron refuses medical assistance he/she should sign the form indicating that medical assistance was declined or it should be noted that the person refused to sign. An incident may include, but is not limited to, sexual harassment, problem patrons, or conduct which violates the Library Policies or Rules of Conduct as adopted by the Board from time to time.

### **PAW PAW DISTRICT LIBRARY PERSONNEL POLICY**

1. **General Personnel Policies**
  - A. The Paw Paw District Library Board believes that good personnel and

good personnel administration are directly related to the maintenance and improvement of the quality of the Library's program of community service.

- B. The Board shall seek to obtain and retain the best available personnel for all staff positions by virtue of the job-related standards of education, training, experience, and personal qualifications.
- C. Personnel practices and policies shall be in accord with the guidelines for equal opportunity of employment for all qualified persons without regard to age, race, creed, sex, or national origin.
- D. The Board will follow at all times personnel practices that help staff members grow in position, stature, and abilities.
- E. The Board constantly shall seek to meet the standards established by the Library of Michigan with regard to Library personnel.
- F. Appointment of members of immediate families of library trustees and administrators is to be avoided. Exceptions to this must be approved by the Paw Paw District Library Board.

## 2. **Procedures for Employment**

- A. Director
  - 1. The Library Board will post the position opening in accordance with public policy and the guidelines appropriate to library-related agencies.
  - 2. All applicants must submit a resume and a job application complete with references, to the secretary of the Library Board.
  - 3. The Board will screen applicants, interview candidates, and select the finalist.
- B. Other Staff
  - 1. The Director will submit a request to replace or add personnel to the Library Board for approval. Included in this request will be a job description and a wage proposal
  - 2. The Director will be responsible for posting vacant positions in accordance with public policy, accepting applications, checking references, interviewing candidates, and recommending a finalist to the Library Board for approval.
- C. Probation
  - 1. Part-time, full-time, and hourly employees shall be on probation during the first 180 days of employment, within which time three employment evaluations will be completed by the Director and discussed with the employee. Upon completion of the 180 days, dissatisfaction on either part may be reason for termination.
  - 2. The Director shall be on probation during the first 180 days of employment, within which three employment evaluations will be completed by the Personnel Committee and discussed with the employee. Upon completion of the 180 days, dissatisfaction on either part may be reason for termination.
- D. Annual Performance Review

1. Each employee of the library shall have at least one performance review annually.
  2. Performance review will be based on the employee's job description.
  3. Written evaluation reports will be kept in employee files.
3. **Hours of Work**
- A. The daily work schedule of all employees will be determined by the Director.
  - B. Relief Periods
    1. Each employee is entitled to one fifteen minute relief period for each half day worked, to be scheduled by the Director. (Relief periods do not apply to early leaving or late arrivals for work or lunch.) Minors (under 18 years of age) must take a 30 minute unpaid break if scheduled to work more than 5 consecutive hours.
    2. Full day work schedules will include unpaid mealtime.
  - C. Full-Time Employees
    1. The normal work week will constitute 40 hours per week.
    2. Full-time employees will receive full fringe benefits as outline in the policy after the 180 day probation period.
  - D. Part-Time Employees
    1. The normal work week will be at least 20 hours per week.
    2. Part-time employees will receive partial fringe benefits as outlined in this policy.
  - E. Restricted Employees
    1. Restricted employees will include student personnel, those working a variable schedule, and those who work fewer than 20 hours a week.
    2. Restricted Employees will not be eligible for fringe benefits.
4. **Wage and Salary Administration**
- A. Pay periods for Paw Paw District Library employees will be every two weeks.
  - B. Director's Salary
    1. Starting pay for the Director will be based on educational degree and experience, using current guidelines on salaries in libraries of comparable size.
    2. Salary will be reviewed annually on the anniversary date with reference to the current salary scale.
    3. The Director will receive full fringe benefits as outlined in this policy to begin upon employment.
  - C. Wage recommendations for employees on the salary scale will be made annually by the Director.
  - D. Pay for student help will be at least minimum wage.
  - E. Wage recommendations for special service employees (i.e bookkeeper, maintenance, substitutes, and the like) will be made by the Director.

5. **Library Hours**

A. Library hours will be: Monday, Tuesday, Thursday 9 A.M. - 8 P.M.  
Wednesday 12 noon - 8 P.M., Friday & Saturday 9 A.M. - 5 P.M.

B. **Holiday Closings**

1. The Library will close on the following nationally recognized holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day (close at 5 P.M. on proceeding Wednesday), Christmas Eve Day, Christmas Day, New Year's Eve Day.
2. The Library will be open on Good Friday and the Friday after Thanksgiving Day. Full Time and Part Time employees who wish this day off may use a Personal Day at the discretion of the director.
3. If a holiday falls on a working day and the library is closed, full-time employees will automatically receive pay for the holiday. If a holiday falls on a working day when a full-time employee is not scheduled to work, the employee will receive compensatory time.
4. Employees working during the Thanksgiving weekend will receive time and half pay.
5. Part-time employees will receive pay for the hours they are schedule to work when their scheduled hours fall on an approved holiday.

C. **Emergency Closings**

1. Decisions for closing the library due to weather or other emergencies will be made by the Director.
2. In case of emergency closing, efforts shall be made to notify the public.

D. The Director may request variations.

6. **Employee Benefits**

A. **Sick Leave**

1. Sick leave credit will be based on average hours worked per week at the rate of 10 days per year for full-time employees and prorated for part-time employees. (Sick leave may be taken on an hourly basis.)
2. Unused sick leave will accumulate up to a maximum of 100 days.
3. The Director may request verification of disability and/or a release to work from a physician before an employee returns to work.
4. An on-going record of each employee's sick leave will be maintained by the Director.
5. At the time of retirement/completion of employment at the Paw Paw District Library, (minimum of 5 years) employees will receive \$25 for each unused full day of sick leave. (Since it is possible for a part of a day to be remaining in one's sick leave accumulation, the remaining time will be prorated according to its portion of a day.)

- B. Personal Days
  - 1. Full-time employees will be credited with four paid personal days per year provided the following requirements are met:
    - a. The employee has completed six months service with the library.
    - b. The request is submitted to the Director for approval 3 days in advance (except in emergencies).
    - c. A minimum of a half day is requested.
  - 2. Permanent part time employees will be credited with two personal days per year providing the requirements, above, are met.
- C. Unpaid leave
  - 1. Employees may request time without pay as necessary to fulfill other obligations.
  - 2. Advance arrangements must be made with the Director.
- D. Bereavement Leave
  - 1. A full-time employee shall be allowed a maximum of 3 consecutive days absence, and part-time employees 2 scheduled work days upon the death of members of the immediate family.
  - 2. Members of the immediate family shall constitute child, parent (including foster and in-law), brother, sister, spouse, grandparents (including in-law), grandchild, brother-in-law, sister-in-law, son-in-law, daughter-in-law, aunt or uncle.
  - 3. Additional days without pay may be granted by the Director, upon request, to take care of usual travel requirements or personal matters in connection with the above bereavement.
- E. Jury Duty
 

Full-time employees called for jury or witness duty will be granted Leave with pay, with total compensation not exceeding the regular Salary minus court duty pay.
- F. Vacation
  - 1. Paid vacation time is allowed for the Director and other employees as listed below. After the first year of employment, the time allotted is available as of the anniversary date of employment..
  - 2. Vacations will be scheduled with the Director well in advance in order that the staffing needs of the library are met.
  - 3. The Director or bookkeeper will keep a permanent record of each employee's vacation time.
  - 4. Unused vacation days, not to exceed 5 days, may be carried over into the next year.

Paid Vacation Time Allowed  
("week" = work week)



	6 mos. - year 2	Year 3,4,5	Year 6	Year 7
Director	2 weeks	3 weeks	4 weeks	1 day/year 5 weeks max.
Full-Time	1 week	2 weeks	3 weeks	1 day/year 4 weeks max.
Part-Time	1 week	2 weeks	1 day /year 4 weeks max	----
Hourly	----	----	----	----

**G. Monetary Fringe Benefits**

1. Monetary fringe benefits are provided by the Paw Paw District Library to full-time and part-time employees. Part-time employees hired after January 1, 1988, will not be eligible for this benefit.
2. An employee's monetary fringe benefit account is 27% of salary credited monthly as earned along with the employer's portion of Social Security as applicable. It may be used to pay for part or all of the employee's choice of health, life, dental, disability, annuity or other generally recognized fringe benefit.
3. Payments for benefits will be made directly to the vendor. Qualified benefits that fall outside the framework of this policy must be approved by the Personnel Committee.

**7. Retirement**

The nationally recognized retirement age is accepted as the official retirement age. This may be waived by the employee's request and action of the Library Board.

**8. Job Description**

- A. The Paw Paw District Library Board recognizes that job descriptions promote good staff attitudes and working conditions.
- B. Each employee shall be given a copy of the job description.
- C. Each employee will be responsible for the performance of the work tasks as outlined in his/her job description.
- D. Job descriptions shall be reviewed periodically and updated.
- E. Annual staff evaluations will be based upon job descriptions. Evaluations shall be made by the Director and kept in the employee file.
- F. The Board will evaluate the Director based on job description.

**9. Grievance Procedure**

- A. A grievance shall be defined as any dispute regarding the meaning, interpretation, or application of the terms of this policy or other conditions of employment.
- B. An employee who believes he/she has a grievance shall first discuss the matter personally with the Director within three working days after the occurrence of the matter which gave rise to the appeal. It shall be the

- objective of both parties to resolve the matter in this informal way.
- C. In the event that the grievance is not settled in this informal manner, the employee shall make a written appeal giving facts and reasons for the grievance to the Library Board within three working days after the discussion with the Director.
  - D. The employee may request a hearing with the Paw Paw District Library Board at its next regularly scheduled meeting.
  - E. The Paw Paw District Library Board will be the final authority.
10. **Dismissal**
- A. An employee will not be dismissed by the Board without cause, which may include, but is not limited to, incompetence, insubordination, unexplained absences from duty, neglect of duty, or conduct which reflects discredit upon the Library.
  - B. A dismissed employee may request a hearing before the Paw Paw District Library Board. Such a request should be made in writing to the Director, who will submit it to the Board for action at its next regularly scheduled meeting.
11. **Staff Development**
- A. Staff development and growth shall be promoted through in-service training opportunities, the availability and use of professional materials, and other methods for aiding the growth of staff members in their professional abilities.
  - B. Staff members shall be encouraged to join the appropriate professional organizations and to participate in the meetings of those organizations whenever possible.
  - C. Employees are allowed time with pay (or compensatory time), including travel time, to attend library meetings, conferences, workshops, and other meetings as approved by the Board. Fees or costs of workshops and similar library events to be attended by staff members may be paid from library funds. Mileage in the amount of the current federal or state rate may also be paid.
  - D. Travel expenses for food and beverages are established by the Library Board from time to time.
12. **Amendments**
- This policy may be amended or revised by a majority vote of the Paw Paw District Library Board under the given conditions:
- 1. That a quorum is present.
  - 2. That the proposed amendment and/or revision was stated in the call for the meeting.

### **RECIPROCAL MATERIAL BORROWING**

Patrons of the Paw Paw District Library who reside in the Paw Paw Public School District are eligible to borrow materials from the Kalamazoo Public Library, the

Van Buren District Library, the Lawton Public Library and the Portage District Library through a reciprocal borrowing agreement. The patron must present a current Paw Paw District Library card to the Kalamazoo Public Library, the Van Buren District Library, the Lawton Public Library or the Portage District Library in order to receive a complimentary card. All materials signed out of a reciprocal Library should be returned there by the patron. The Paw Paw District Library is not responsible for materials checked out from other libraries.

Patrons of the Kalamazoo Public Library, the Van Buren District Library, the Lawton Public Library and the Portage District Library may receive library cards at the Paw Paw District Library. They need to present their card from one of those libraries, along with proper identification, in order to get a Paw Paw District Library card.

### **DRUG AND SMOKE FREE WORKPLACE POLICY**

The Paw Paw District Library Board recognizes the importance of providing all employees, patrons and visitors with a drug and smoke free Library. Therefore, it is Board policy that the use, distribution, or dispensation of controlled substances, tobacco and/or alcohol (as define by local, state, and federal law), by library employees, patrons and visitors on any library grounds or in the library building, and/or in connection with any library activity, is prohibited.

The Paw Paw District Library also recognizes that the appearance of tobacco, drug or alcohol use should be banned on the library grounds or in the library building and therefore any simulated use e.g. use of electronic cigarettes, chewing tobacco, non-alcoholic beers, and the simulated use of any drug paraphernalia, is prohibited.

Any employee who violates this policy shall be subject to immediate suspension and/or termination of employment. Any patron or visitor who violates this policy shall be subject to eviction from the premises.

The Board requires that the Library Director distribute a copy of this policy to each employee and post the premises accordingly.

Adopted June 8, 1992, revised July 15, 2013

### **CONTINUING EDUCATION POLICY**

The Board of the Paw Paw District Library supports continuing education activities of full-time and part-time staff members in an effort to encourage personal and professional development.

Tuition for classes which lead to a degree program related to library employment will be paid by the library upon Board approval. Costs for books will also be paid, however, the books will become library property at the end of the course, or they may be resold and the money received turned back to the library. The total amount allowed for tuition and books per calendar year shall be determined by the Library Board from time to time.

Time off from regular working hours to attend classes must be approved in

advance by the Library Director. The employee must make up the hours they take off.

Additional credits which lead to a degree may be acquired by employees who submit Continuing Education Units (CEUs) acquired in various library related workshops to the appropriate office of the educational institution for approval in meeting degree requirements.

Adopted November 15, 1999

## **BULLETIN BOARD POLICY**

The Paw Paw District Library encourages the display of informational bulletins, brochures, and posters on the library bulletin board. Items for display should relate to area educational, cultural, and civic events of interest to the community. Information from area non-profit groups is welcomed.

Guidelines for display:

1. Items for display should be brought to the circulation desk, not affixed to the bulletin board.
2. Items should be of a reasonable size, preferably no larger than 12" x 18".
3. Items to be displayed should be legible and neat.
4. Religious events sponsored by denominational groups will not be displayed except in special circumstances.
5. Information regarding money-making events sponsored by profit-making organizations or businesses will not be displayed; no commercial advertising will be allowed.
6. Informational, nonpartisan political events will be publicized.
7. Information regarding contests or solicitations of any kind will not be displayed.
8. Activities having no specific date will be removed after a reasonable period of time.
9. Any item which must be returned to the organization must be submitted with a name and telephone number written on the back.
10. Arrangement of the bulletin board will be at the discretion of the Director and staff. Items approved will be initialed and arranged by staff.

## **PHOTOCOPY POLICY**

1. A photocopier machine is available to anyone who wishes to copy materials at the rate of 20 cents per page, or as determined by the Library Board from time to time.
2. Copy machine users are advised that there are restrictions on copyright materials which permit, in general, no more than one copy of a page for personal use. Violations of copyright are the responsibility of the copy machine user.
3. The purpose of providing a copy machine in the library is to allow students

and other library patrons to copy library materials electronically rather than by hand in order to provide a convenient way to use materials that would otherwise have to remain in the library.

4. The copy machine provided for use in the library is not to be considered a means for securing perfect, crisp copies for use in resumes, legal papers, business correspondence, or large quantities of copies.
5. The library does attempt to maintain its copy machine in good working order and therefore appreciates reports of malfunction which can be relayed to our service provider. However, the library is not responsible for the quality of copies and will refund money only in the event of severe malfunction of the machine.
6. Copies may be made free of charge for reference materials which cannot be checked out of the library. No more than five copies at a time may be made.

Adopted May 11, 1992

## **COMMUNITY ROOM / PROGRAM SPACE**

The Paw Paw District Library provides a community room in order to promote its mission of service to the community. The Library Board recognizes that the library facility belongs to the community and therefore permits the use of its community room by local individuals, groups and organizations. The policy for the use of the facility is established by the Library Board and its subject to change at any time. This policy may be applicable to any meeting space or program space at the Paw Paw District Library.

### **1. Availability**

- A. Library programs and library-related programs have priority in the use of the facility. The library cannot guarantee that an individual or group can reserve or use the community room or any meeting space on a regular, consistent basis.
- B. Community room use shall be for educational, cultural, civic or recreational purposes.
- C. The fact that a group or individual is allowed to meet in the community room does not in any way constitute endorsement of the groups' or individual's policies or beliefs by the Paw Paw District Library.
- D. An established hourly rental fee will be charged to for-profit users and also for social events such as parties, baby showers and receptions. The current usage fee (Fee Schedule) shall be determined from time to time by the Library Board and made available at the library and on the library's website.
- E. All groups using the community room must be under adequate adult supervision, with an adult in attendance at all times. The supervising adult must accept responsibility for the repair or replacement of damaged facilities or equipment.

- F. The library shall not be held liable for any injury sustained or damage done related to the use/misuse of equipment and or facilities. The applicant or its written designee is responsible for communicating all community room policies to users of the facility.
- G. Meetings that may disturb regular library functions are not permitted. What constitutes a disturbance to the library shall be at the discretion of the Library Director.

2. **Scheduling**

- A.. The community room may be scheduled from 8:00 a.m. - 10:00 p.m. daily or at the discretion of the Library Director or designee. If meetings are scheduled outside regular library hours, an opening fee and a per hour staffing fee for each hour may be assessed per the Fee Schedule.
- B. Procedures to apply for use of the community room:
  - 1. The applicant will submit a completed Community Room Application Form (available at the checkout desk, the reference desk and on the library website) at least 7 calendar days prior to the requested use date.
  - 2. The applicant may submit a Community Room Application Form up to 4 months prior to the requested use date.
  - 3. An applicant must be 18 years of age or older.
  - 4. The library may consider a pattern of cancellation or prior violations by the applicant in scheduling room use.
  - 5. The library reserves the right to reschedule an event for library-related programs. The library will make every effort to keep conflicts to a minimum, but in the event of a conflict, the library will notify the applicant as soon as possible.
- C. Hours of scheduling shall include the total time involved in the meeting, including the time the applicant requires the room for assembling or other programs, to the time the room is vacated.
- D. Room setup needs shall be stated at the time the reservation is made. The applicant will be responsible for setup and takedown of tables and chairs, under staff direction and or supervision.
- E. Any previously granted use may be withdrawn at the discretion of the Library Director.

3. **GENERAL REGULATIONS**

- A. The library and all library grounds are smoke free environments which includes smokeless tobacco use.
- B. The room has a catering kitchen and food and beverages consistent with pre-prepared fare are permitted. The group is responsible for cleanup and bringing their own supplies, i.e. table settings, napkins, etc.
- C. No alcoholic beverages are permitted in or on library property.
- D. No hazardous materials are to be brought onto the library grounds. No open flames are permitted inside or outside the library without special permission by the Library Director or designee.

- E. No pets may be brought to or onto the library facility. Service animals are permitted.
- F. The facility must be left in the same condition it was prior to the meeting. Attendant library staff will verify this prior to departure.
- G. Nothing shall be attached permanently or temporarily to the library walls, ceiling, fixtures or floors.
- H. Audio-visual and other equipment needed for a program is the sole responsibility of the sponsoring group or individual.
- I. The registering of participants will be the responsibility of the applicant, not the library staff.
- J. The library will provide the name and contact information of the applicant to persons requesting information.
- K. All users of the library's facilities agree to comply with all applicable laws and local ordinances.
- L. Weapons are not allowed in the library unless carried by a peace officer, or as allowed by state or federal law.
- M. The booking of the community room, or portion thereof, does not entitle the user to the use of any other rooms in the library. Restrooms are accessible from the community room during scheduled use.

#### **4. FEE SCHEDULE POLICIES**

- A. For use of the community room during regular library operating hours, no community room use fees will be charged to non profit organizations whose principal offices are within the Library District or to persons residing within the District.
- 2. Outside regular library operating hours, use and staffing fees will be assessed to non profit organizations with principal offices within the Library District or to persons residing within the District. A deposit fee will be paid at the time of the application and will be refunded if the application is cancelled within 24 hours of scheduled use. The deposit will be credited to the use and staffing fees and any balance refunded.
- 3. Use of the library community room by persons or organizations outside the Paw Paw library district will be at the discretion of the Library Director or designee. Community room use and staffing fees will be charged to such persons or organizations regardless of whether the room is used during or outside library hours. All fees shall be paid at the time of application and will be refunded if the community room is not available, cancelled or the use is not permitted.
- 4. A deposit fee shall be paid at the time of application for all uses where food or beverage are permitted by the applicant. The deposit will be credited to the use and staffing fees and any balance refunded.

Adopted July 16, 2012

### **STUDY ROOM USE POLICY**

1. Study Rooms are generally intended for use by up to 4 individuals at a time, 11 years of age and older, for the purpose of quiet study and discussion. Other use arrangements may be made with the Library Director or designee.
2. Use of a Study Room may be arranged at the library's Circulation desk or by calling the Library telephone number. A maximum of 2 hours at a time may be scheduled with additional time allowed depending upon room availability.
3. No eating or drinking is allowed in a Study Room.
4. The Library is not responsible for personal belongings left unattended in a Study Room.
5. Library staff should be notified upon finishing use of a Study Room.
6. Study Rooms must be vacated 15 minutes prior to the scheduled closing of the Library.

Adopted August 20, 2012

### **CREDIT CARD POLICY**

1. The Director and the Bookkeeper shall be responsible for issuing, retrieving, monitoring, accounting, and overseeing compliance with the credit card policy.
2. The credit card may only be used by the Director, or by an employee who is authorized by the Director, for goods and services applicable to the library. The credit card shall not be used for non-employee expenses.
3. The Bookkeeper will submit monthly records of credit card activity detailing purchases to the Board.
4. The Board will set the limit on the credit card.
5. The Director or the Bookkeeper will maintain the credit card in the library when it is not with an authorized user. Written records will be maintained when the credit card is not in the library (sign in - sign out records). The cardholder will also be responsible for reporting it lost or stolen.
6. The credit card must be returned when an authorized employee leaves employment with the library.
7. All charge amounts will be approved by the Director prior to payment.
8. Any charges, not in dispute after Director approval, will be paid in full each month. Compliance with credit card provisions will be maintained.
9. Unauthorized use will result in termination of employment.



## **ELECTRONIC DEVICE POLICY**

The Paw Paw District Library prohibits the use of cameras, cellphones, recorders or electronic devices of any kind that the staff determines interfere with the other patrons' use of the facility.

Adopted October 15, 2008

## **ROLLER BLADES, SKATEBOARDS, ETC. POLICY**

The use of skate boards, roller blades, or roller skates, or any shoes containing rollers, is prohibited on the property of the Paw Paw District Library.

Skateboard means an item consisting of a short oblong board with a pair of small wheels at each end and ridden on hard surface such as a floor or a sidewalk.

Roller Blades or Roller Skates means any shoe-like device with wheels attached, and includes shoes referred to as "wheelies".

The penalty for offenders will be determined at the time of the offense and may include involvement of the Paw Paw Police Department.

Adopted October 17, 2005, revised February 16, 2009

## **DRESS CODE**

The Paw Paw District Library requires grooming based on common sense, good judgement, and good taste. We expect the pages to be clean and covered.

We further require:

- Uniform shirts (upon employment pages will choose three collared shirts from a list of choices and the library will cover the cost).
- Dress slacks/pants with no holes or frays. The length must not drag on the ground. (No jeans, shorts, or sweat pants)

Variations on this Dress Code may be decided by the Library Director (or the adult employee in charge at the time) due to specific conditions on a specific day. Adopted November 21, 2005

## **SOCIAL SECURITY NUMBER (SSN) PRIVACY POLICY**

All Employees are required to have a SSN or other IRS tax identification number ("SSN") in order to be employed by the Library, so that the Library can make adequate tax reporting. However, the Library takes each employee's privacy very seriously, and it maintains a strict policy to protect the confidentiality of SSNs that are obtained by, or provided to, the Library and/or its employees, members, contractors, agents, and representatives in the course of their employment, activities, or services performed on behalf of the Library.

Documents containing SSNs shall be kept in confidential files. Except as required by necessary and legitimate business purposes, no employee is permitted to have access to SSNs (including documents that contain any SSNs) or to keep, view, use, copy, disclose, or distribute another person's SSN, or in any other way disclose another's SSN. One who accesses a SSN for necessary and legitimate business purposes is prohibited from using or accessing the SSN in a manner that may permit an unauthorized individual to view, use, or access the number.

When documents containing SSNs are no longer needed and are to be discarded, such documents must be disposed of in a manner that ensures the confidentiality of the SSNs. The Library has developed a practice for shredding, electronically deleting, or otherwise disposing of confidential records, including documents containing SSNs.

Violation of this policy is subject to disciplinary action, up to and including discharge.

Adopted February 16, 2009

## **FREEDOM OF INFORMATION ACT (FOIA) PROCEDURES & GUIDELINES**

The following Freedom of Information Act Procedures & Guidelines ("Procedures & Guidelines") are established pursuant to Resolution adopted by the Library Board of the Paw Paw District Library ("Library") on May 18, 2015. In addition, the Library Board shall create, and make publicly available, a written public summary of the specific procedures and guidelines relevant to the general public regarding how to submit written requests to the Library and explaining how to understand the Library's written responses, deposit requirements, fee calculations, and avenues for challenge and appeal. The Library will post the Procedures & Guidelines and the written public summary on the Library's website at [www.pawpaw.lib.mi.us/](http://www.pawpaw.lib.mi.us/).

### **SECTION 1 - DEFINITIONS**

Act: The Michigan Freedom of Information Act, Act No. 442 of the Public Acts of 1976, as amended.

FOIA Coordinator: The Library Director, as designated by the Library Board pursuant to Section 6(1) of the Act, and any other individual designated by the Library Director pursuant to Section 6(3) of the Act to act on the Library's behalf in accepting and processing requests for the Library's public records and in approving a denial under Section 5 of the Act.

Person: An individual, corporation, limited liability company, partnership, firm, organization, association, governmental entity, or other legal entity. Person does not include an individual serving a sentence of imprisonment in a state or county correctional facility in Michigan or any other state, or in a federal correctional facility.

Public Record: A writing which is prepared, owned, used, in the possession of, or retained by the Library in the performance of an official function from the time it is created and as otherwise defined by the Act. Public record does not include computer software.

Library: Paw Paw District Library and its departments, commissions, boards, and committees.

Unusual Circumstances: The need to search for, collect, or appropriately examine or review a voluminous amount of separate and distinct records pursuant to a single request or the need to collect public records from numerous locations apart from the office receiving or processing the request.

Where not otherwise defined, the words and phrases contained in this Procedures & Guidelines shall have the meaning given to them, if any, by the Act.

## **SECTION 2 - RIGHT TO RECORDS**

A person has the right to review public record(s) from the Library as provided in the Act. The request must be in writing and sufficiently describe the public record to enable the FOIA Coordinator to identify the requested public record.

A person has the right to inspect a public record, or receive copies of a requested public record, unless exempted by law or court order. Upon written request, a person will be provided with a reasonable opportunity to inspect the public records provided by the Library. Inspection of public records shall occur only during normal Library hours as posted on the Library website, unless otherwise agreed by the FOIA Coordinator in his or her sole discretion. Persons with special needs should contact the FOIA Coordinator beforehand to ensure that arrangements for special needs or reasonable facilities are prepared. The Library Board may make reasonable rules necessary to protect its public records and to prevent excessive and unreasonable interference with the discharge of its functions. When inspecting public records, a person shall not write on, alter, deface, or otherwise place any mark on a public record. The Library shall protect public records from loss, removal, unauthorized alteration, mutilation, or destruction. The Library may require the necessary copying of a public record for inspection in certain instances such as to allow for the redaction of exempt information, to protect old or delicate original records, or because the original public record is a digital file or database not available for public inspection. In such instances, the Library may require the requesting person to pay fees for such copying prior to inspection.

A person may request that copies of a public record be provided subject to the payment of fees as provided in Section 4 of these Procedures & Guidelines and Section 4 of the Act.

A person has the right to subscribe to future issuances of public records that are

created, issued, or disseminated by the Library on a regular basis. A subscription shall be valid up to six months, at the request of the subscriber, and shall be renewable.

### **SECTION 3 – RIGHTS AND OBLIGATIONS OF THE LIBRARY**

The Library shall process all written requests for a public record from a person. A request must sufficiently describe a public record so as to enable the FOIA Coordinator to identify and find the requested public record. If a verbal request is made for information that a Library employee believes is available on its website, the employee shall, where practicable and to the best of the employee's knowledge, inform the requesting party about the Library's website address. If a request has not been made in writing, the FOIA Coordinator may, but is not obligated to, have the person complete the request form (see FOIA request form, Attachment A). Except as provided herein, the Library will not process a request for public records unless the request is in writing.

The Library shall not deliver a copy of a public record or make a public record available to the requesting person until payment of the fees established under Section 4 of these Procedures & Guidelines and Section 4 of the Act. If the Library delivers a copy or makes a public record available and the requesting person has not made payment at the time, the Library shall be entitled to collect payment from the requesting person by any legal means.

The FOIA Coordinator will provide a certified copy of a public record if a person so requests in writing.

The Act does not require the Library or the FOIA Coordinator to make a compilation, summary, report of information, or create a new public record. Neither the Library nor the FOIA Coordinator is obligated to provide answers to oral or written questions. Unless a person requires the Library to provide copies to the person, the Library may allow for inspection of public records.

The FOIA Coordinator shall keep a copy of all written requests on file for not less than one year.

Whenever copies are made for a requesting party under FOIA, the FOIA Coordinator shall make and keep for its files one extra set of copies thereof, in case it is necessary later to prove exactly which copies were made and given to the requesting party. Such extra set of copies shall be kept by the FOIA Coordinator for at least one (1) year. There shall be no charge or fee to the requesting party for such extra set of copies kept by the FOIA Coordinator.

### **SECTION 4 – FEES AND DEPOSITS**

The Library Board shall adopt, by resolution, a schedule of fees for processing FOIA requests and for providing copies of public records in accordance with the Act. All FOIA

requests submitted pursuant to the Act shall be subject to the fees adopted by the Library Board, except any fees as otherwise provided by law. All fees for responding to written FOIA requests shall be itemized in detail on Attachment B (Detailed Cost Itemization). The Library will use the most economical means available for making copies of public records.

The FOIA Coordinator will require that payment be made in full for the allowable fees for processing and responding to a FOIA request before the public record is made available.

The FOIA Coordinator may waive a fee or reduce a fee if it is determined that a waiver or reduction of the fee is in the public interest because searching for or furnishing copies of the public record can be considered as primarily benefiting the general public.

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

- 1) Labor costs directly associated with searching for, locating and examining a requested public record, as provided in Section 4(1)(a) of the Act;
- 2) Labor costs directly associated with a review of a record to separate and delete information exempt from disclosure from information which is not exempt from disclosure, as provided in Section 4(1)(b) of the Act;
- 3) The actual and most reasonably economical costs of computer discs, computer tapes, or other digital or similar media, as provided in Section 4(1)(c) of the Act;
- 4) The actual total incremental cost of duplication or publication, not including labor, of paper copies of public records, as provided in Section 4(1)(d) of the Act;
- 5) The cost of labor directly associated with duplication or publication, including making paper copies, making digital copies, or transferring digital public records to be given to the requesting person on non-paper physical media or through the Internet or other electronic means as stipulated by the requesting person as provided in Section 4(1)(e) of the Act; and
- 6) The actual cost of mailing for sending a public record in a reasonably economical and justifiable manner as provided in Section 4(1)(f) of the Act.

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. If the time involved is less than 15

minutes, there will be no labor charge.

- Charges for labor costs will be determined by using the hourly wages of the lowest paid public body employee capable of performing the work in the particular instance regardless of who actually performed the labor, as provided in the Act.
- Overtime wages will not be included in labor costs unless agreed to by the requesting person and the overtime wages are clearly noted on the Detailed Cost Itemization (Attachment B).
- Labor costs will 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 if it clearly notes the percentage multiplier on the Detailed Cost Itemization (Attachment B) but in no case shall the Library charge more than the actual cost of fringe benefits. If the Library includes the website address for a public record in its written response to the requesting person and the requesting person thereafter requests that the public record be provided to him or her in a paper format or non-paper physical media, the Library shall provide the public records in the specified format but may use a fringe benefit multiplier greater than 50% not to exceed the actual costs of providing the information in the specified format as provided in Section 4(5) of the Act. Overtime costs will not be used to calculate the fringe benefit cost.
- Any public records available to the general public on the Library's website at the time a request is made are exempt from charges for labor costs for separating and deleting of exempt information.
- The Library shall not charge for labor directly associated with redaction under Section 14 of the Act if the Library knows or has reason to know that it previously redacted the public record in question and the redacted version is still in the Library's possession.

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

- The cost of paper copies will be calculated as a total cost per sheet of paper and shall be itemized on Detailed Cost Itemization (Attachment B). The cost of paper copies of public records made on standard letter size (8-1/2 by 11") or legal size (8-1/2 by 14") paper will be \$0.10 per sheet of paper. Copies for non-standard or legal size sheets of paper will reflect actual cost of duplication.
- The Library shall utilize the most economical means available for making copies of public records, including using double-sided printing, if cost saving and available.

The cost to provide records on non-paper physical media when stipulated by the

requesting person will be based on the following requirements:

- Computer discs, computer tapes or other digital or similar media will be at actual and most reasonably economical cost for the non-paper media.
- The requirement to provide records on non-paper physical media will not apply if the Library lacks the technological capability necessary to provide the public record on the non-paper physical media stipulated in the particular instance.
- 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 requesting person.

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

- The actual cost to mail copies of public records using a reasonably economical and justified means.
- The Library will not charge for expedited shipping or insurance unless specifically stipulated by the requesting person but the Library may charge the least expensive form of postal delivery confirmation.

The FOIA Coordinator will only charge a fee for the cost involved with searching for, examining, or reviewing a public record, and the deletion and separation of exempt from nonexempt information, when such activities will result in an unreasonably high cost to the Library, as determined by the FOIA Coordinator. The fee may include the cost of labor for searching for, examining, or reviewing a public record, and the deletion and separation of exempt from nonexempt information, in response to a request for the inspection of a public record or a request for copies of a public record as permitted by FOIA. In determining what is an unreasonably high cost to the Library, the FOIA Coordinator shall consider the following factors on a case-by-case basis:

- Volume of public records requested;
- The time frame for the public records requested;
- Complexity of searching for, examining, reviewing a public record, and the deletion and separation of exempt from non-exempt information;
- The need to search for, examine, and review public records from different departments or offices of the Library;
- The anticipated hours of labor;
- The available staffing for responding to the request;
- The extent to which the particular request incurs costs greater than the costs

incurred for the typical or usual request received by the Library.

· Any other similar factors designated as applicable by the FOIA Coordinator.

A public record search shall be made and a copy shall be furnished without the charge for the first \$20.00 of the fee for each request by either of the following:

· An individual who submits an affidavit stating that the person is indigent and receiving specific public assistance or, if not receiving specific public assistance, stating facts showing an inability to pay the cost because of indigency. If the requesting person is eligible for a requested discount, the FOIA Coordinator shall fully note the discount on the detailed itemization described in the Detailed Cost Itemization (Attachment B). If a requesting person is ineligible for the discount, the FOIA Coordinator shall inform the requesting person specifically of the reason for ineligibility in the FOIA Coordinator's written response. An individual is ineligible for this fee reduction if any of the following apply:

- o The individual has previously received discounted copies of public records from the Library twice during that calendar year.
- o The individual requests the information in conjunction with outside parties who are offering or providing payment or other remuneration to the individual to make the request. The FOIA Coordinator may require a statement by the requesting person in the affidavit that the request is not being made in conjunction with outside parties in exchange for payment or other remuneration.

· A nonprofit organization formally designated by the State of Michigan to carry out activities under subtitle C of the Developmental Disabilities Assistance and Bill of Rights Act of 2000, Public Law 106-402, and the Protection and Advocacy for Individuals with Mental Illness Act, Public Law 99-319, or their successors, if the request:

- o Is made directly on behalf of the organization or its clients;
- o Is made for a reason wholly consistent with the mission and provisions of those laws under section 931 of the Mental Health Code, 1974 PA 258, MCL 330.1931; and
- o Is accompanied by documentation of its designation by the State of Michigan, if requested by the FOIA Coordinator.

In either the Library's initial response or subsequent response to a FOIA request under Section 5(2)(d) of the Act, the Library may require a good-faith deposit from the requesting person before providing the public records if the entire fee estimate or charge authorized under Section 4 of the Act exceeds \$50, based on a good-faith calculation of the total fee. The deposit shall not exceed ½ of the total estimated fee, and the Library's



request for a deposit shall include a detailed itemization on the Detailed Cost Itemization (Attachment B). The Library's response shall also contain a best efforts estimate by the Library regarding the time frame it will take the Library to comply with the Act in providing the public records to the requesting party. If the Library does not respond in a timely manner as described in section 5(2) of the Act, it is not relieved from its requirements to provide proper fee calculations and time frame estimates in any tardy responses.

If the Library has not been paid in full the total fees for copies of public records that the Library has made available to an individual, the Library may require a deposit of up to 100% of the estimated fee before the FOIA Coordinator begins a full public record search for any subsequent written request from that individual if all of the following apply:

- The final fee for the prior written request was not more than 105% of the estimated fee.
- The public records made available contained the information being sought in the prior written request and are still in the Library's possession.
- The public records were made available to the individual, subject to payment, within the time frame estimate described in the prior request.
- Ninety (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.
- The FOIA Coordinator calculates a detailed itemization on Attachment B (Detailed Cost Itemization) that is the basis of the current written requests' increased fee deposit.

The Library will no longer require an increased estimated fee deposit from an individual as provided above if any of the following apply:

- The individual 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.
- 365 days have passed since the individual made the written request for which full payment was not remitted to the Library.

The Library has limited in-house capabilities for copying photographs, audio or video tapes, microforms, maps, or plans. If a person requests that copies be made of these or large documents which must be copied off-site, the FOIA Coordinator will determine and assess those costs. If an officer or employee of the Library is required to deliver and/or pick up the public records and/or copies of public records, the labor hours spent and applicable mileage (at Library rates) will also be applied to the charges of the person(s) requesting the public records.

If the Library does not employ a person or firm capable of separating and deleting exempt from non-exempt information, the Library may use contracted persons or firms to perform this task. In such case, the Library may treat the necessary contract labor costs in the same manner as employee labor costs if the FOIA Coordinator clearly notes the name of the contracted person or firm in Attachment B (Detailed Cost Itemization) provided that the total contracted labor costs will not exceed six (6) times the State of Michigan hourly minimum wage. Contracted persons or firms may include attorneys who are required to separate and delete exempt from non-exempt information.

Charges for labor costs shall be reduced by 5% for each day that the Library exceeds the time permitted in responding to a FOIA request under Section 5(2) of the Act, up to a 50% maximum reduction, if either of the following applies:

- The late response was willful and intentional; or
- The written request, within the first 250 words of the body of a letter, facsimile, electronic mail, or electronic mail attachment, or specifically 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 email, letter, or facsimile cover page.

If such a reduction is required for a late response, the FOIA Coordinator shall fully note the reduction on Attachment B (Detailed Cost Itemization).

The FOIA Coordinator shall not charge additional fees for certification of any copies.

A person who has subscribed to future issuances of regularly published public records pursuant to Section 3(1) of the Act may request that the public record, be sent to them or they may be called for pickup of the public record provided, however, that copy fees and mailing charges for such public records must be paid before the requested public record is sent or picked up by the person.

## **SECTION 5 – PROCEDURES OF THE PUBLIC BODY IN PROCESSING A FOIA REQUEST**

After a person has made a written request for a public record in accordance with the Act, the FOIA Coordinator shall respond within five (5) business days after its receipt. A written request made by facsimile, electronic mail, or other electronic transmission is not considered received by the FOIA Coordinator until one (1) business day after the electronic transmission is made, as provided in the Act. A written request sent by email and delivered to the Library’s spam or junk folder is not considered received by the Library until one (1) day after it first becomes aware of the written request. The Library will note in its records both the time a written request is delivered to its spam or junk mail folder and the time that

it first becomes aware of that request.

A person making a written request for a public record may stipulate that the public records be provided on non-paper physical media, electronically mailed, or otherwise electronically provided to him or her in lieu of paper copies. This requirement shall not apply if the Library lacks the technological capability necessary to provide records on the particular non-paper physical media stipulated in the particular instance. If public records are provided on non-paper physical media, electronically mailed or otherwise electronically provided in lieu of paper copies as stipulated by the person making the request, the Library may charge more than the 50% fringe benefit multiplier (not to exceed actual cost) as provided in Section 4(5) of the Act.

If a verbal request is made for information that a Library employee believes is available on its website, the employee shall, where practicable and to the best of the employee's knowledge, inform the requesting party about the Library's website address.

Where a written request is received which does not sufficiently describe the public records requested so as to enable the FOIA Coordinator to identify and find the public record, FOIA Coordinator will notify the requesting person of the need for a clarification. Such notice, if sent, shall not be interpreted as a denial of the request for purposes of the Act or these Procedures & Guidelines. Any clarification will be considered a new FOIA request subject to the timelines described in this Section and the Act.

The FOIA Coordinator will process written requests for a public record by responding within five (5) business days of receipt in one of the following five ways:

- 1) Grant the request.

If the request indicates that the person desires to inspect the public records, the FOIA Coordinator will contact the person to arrange for inspection at a reasonable time during normal office hours.

If the request indicates that the person is requesting copies of a public record, the FOIA Coordinator will forward notification to the requesting person indicating the amount due and where the documents may be released upon payment of the applicable fees. However, if the request is estimated to generate entire fees of \$50 or more, the FOIA Coordinator may require fifty percent (50%) of the estimated charges be deposited in advance of the processing of the request provided, however, that in the request for the deposit, the FOIA Coordinator shall include a detailed itemization of the estimated fees (using Attachment B/Detailed Cost Itemization) and a "best efforts" estimate of a nonbinding time frame for providing the public records. The FOIA Coordinator will not process the request unless and until the deposit is made. The balance of the fees must be paid prior to release of documents.

- 2) Issue a written notice denying the request. The FOIA Coordinator may use the form attached as Attachment D for this purpose. The notice of the denial shall include:
  - an explanation as to why the requested public record is exempt from disclosure in accordance with the Act, or
  - a certificate that the requested public record does not exist under the name given by the requesting person or by another name reasonably known to the Library, or
  - a description of a public record or information which had to be separated or deleted from the public record pursuant to Section 14 of the Act.
  - In addition to the explanations noted above, the denial shall also include a full explanation of the person's right to appeal the denial to the Library Board and to seek judicial review in accordance with Section 10 of the Act.
- 1) Grant the request in part, and issue a written notice denying the request in part. In the latter instance, the public records exempted from disclosure shall be treated as in subsection (2) above.
- 2) Issue a written notice extending the time in which to respond to the request by ten (10) business days. The FOIA Coordinator may use the form attached as Attachment C for this purpose. The notice will specify the reasons for the extension and the date by which the Library will grant the request, deny the request, or grant in part and deny in part the request. The Library shall not issue more than one such notice of extension for a particular request.
- 3) Issue a written notice indicating that all or a portion of a requested public record is available at no charge on the Library's website. To the degree practicable, the written response shall include a specific webpage address where the requested information is available. On Attachment B (Detailed Cost Itemization), the FOIA Coordinator shall separate the requested public records that are available on the Library's website from those that are not available on the website and shall inform the requesting party of the additional charge to receive copies of the public records that are available on its website. If the Library has included the website address for a public record in its written response to the requesting person and the requesting person thereafter stipulates that the public record be provided to him or her in a paper format or non-paper physical media, the Library shall provide the public records in the specified format but may use a fringe benefit multiplier greater than 50% not to exceed the actual costs of providing the information in the specified format as provided in Section 4(5) of the Act.

Failure to respond to a written request in a timely manner as required by Section 5(2) of the Act constitutes a denial of the request if either of the following apply:

- The failure was willful and intentional; or
- the written request included language that conveyed a request for information within the first 250 words of the body of a letter, facsimile, electronic mail, or electronic mail attachment, or specifically included the words, characters, or abbreviations for “freedom of information”, “information”, “FOIA”, “copy”, or a recognizable misspelling of such, or appropriate legal code reference to the Act, on the front of an envelope or in the subject line of an electronic mail, letter, or facsimile cover page.

A copy of these Procedures & Guidelines and the written public summary of these Procedures & Guidelines shall be furnished free of charge to the requesting party in response to a written FOIA request and upon request by visitors at the Library. In lieu of providing paper copies of the Procedures & Guidelines and the written public summary thereof in response to a written FOIA request, the FOIA Coordinator may include the Library website link to the Procedures & Guidelines and the written public summary of the Procedures & Guidelines.

## **SECTION 6 – PROCEDURES FOR SEPARATION OF RECORDS**

If a request is made for an existing public record that includes information which is exempt from disclosure under the Act and information which is not exempt, the FOIA Coordinator must separate the material and make the nonexempt material available for inspection and copying. As provided in Section 4 of these Procedures & Guidelines, the FOIA Coordinator may use contracted persons or firms to separate and delete exempt from non-exempt information if the Library does not employ a person or firm capable of performing this task. Additionally, if the separation is readily apparent to a person requesting to inspect or receive copies, the FOIA Coordinator shall generally describe the material exempted unless doing so would reveal the contents of the exempt information and thus defeat the purpose of the exemption.

## **SECTION 7 – FOIA COORDINATOR**

The FOIA Coordinator shall be responsible to accept and process requests for public records and approve denials in accordance with Sections 5(4) and (5) of the Act.

## **SECTION 8 – APPEALS-DENIALS**

In accordance with the Act, where a person's request for a public record is denied, in whole or in part, the person shall be entitled to file a written appeal on the decision in accordance with the following process:

- The person shall be advised by the FOIA Coordinator of the right to file a written appeal to the Library Board as “the head of the public body” which shall specifically state the word "appeal" and identify the reason(s) for reversal of the denial. The person making the appeal may use the form attached as Attachment E.
- 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.
- In its consideration of any written appeal, the Library Board shall review the materials submitted by the appellant, any written comments received from the FOIA Coordinator, any other information as the Library Board deems necessary, and within ten (10) business days after receiving the written appeal as provided above, take one of the following actions:
  - o reverse the disclosure denial, or
  - o issue a written notice to the requesting person upholding the disclosure denial, or
  - o reverse the disclosure denial in part and issue a written notice to the requesting person upholding the denial in part, or
  - o under unusual circumstances, issue a notice extending for not more than ten (10) business days the period during which the Library Board will respond to the written appeal. The Library Board shall not issue more than one notice of extension for a particular written appeal.

Whether or not a person has submitted an appeal under this Section, the person may choose to commence an action in the Circuit Court to compel the Library’s disclosure of public records as provided in Section 10 of the Act.

### **SECTION 9-APPEALS-FEES**

If a requesting person believes that the Library is requiring a fee that exceeds the amount permitted under these Procedures & Guidelines or Section 4 of the Act, the requesting person may submit to the Library Board as the “head of the public body” a written appeal for a fee reduction that specifically states the word “appeal” and identifies how the required fee exceeds the amount permitted. The person making the appeal may use the form attached as Attachment F. 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 a written appeal challenging fees, the Library Board shall do one of the following:

- Waive the fee.

- Reduce the fee and issue a written determination to the requesting person indicating the specific basis under Section 4 of the Act that supports the remaining fee. The determination shall include a certification from the Library Board that the statements in the determination are accurate and that the reduced fee amount complies with these Procedures & Guidelines and Section 4 of the Act.
- Uphold the fee and issue a written determination to the requesting person indicating the specific basis under Section 4 of the Act that supports the required fee. The determination shall include a certification from the Library Board that the statements in the determination are accurate and that the fee amount complies with these Procedures & Guidelines and Section 4 of the Act.
- Issue a notice extending for not more than 10 business days the period during which the Library Board must respond to the written appeal. The notice of extension shall include a detailed reason or reasons why the extension is necessary. The Library Board shall not issue more than 1 notice of extension for a particular written appeal.

Within 45 days after receiving notice of the Library Board's determination of an appeal regarding fees under this Section or the Library Board's failure to act timely on the appeal as required by Section 10a(2) of the Act, the person who filed the appeal may commence a civil action as provided in Section 10a of the Act. If a civil action is commenced against the Library under this Section, the Library is not obligated to complete the processing of the written request for the public record at issue until the court resolves the fee dispute.

As used in this Section, "fee" means the total fee or any component of the total fee calculated under Section 4 of the Act, including any deposit.

### **SECTION 10-INTERPETATION AND EFFECTIVE DATE**

These Procedures & Guidelines are intended to fully comply with the Act. In the event of any inadvertent inconsistency between the Act and these Procedures & Guidelines, the Act shall control.

These Procedures & Guidelines shall become effective as of July 1, 2015.

### **SECTION 11 – FORMS**

The following forms attached hereto are incorporated into these Procedures & Guidelines:

Attachment A

FOIA Request for Public Records Form

Attachment B	Detailed Cost Itemization
Attachment C	Notice to Extend Time for a FOIA Request
Attachment D	Notice of Denial of FOIA Request
Attachment E	FOIA Appeal Form-To Appeal of a Denial of Records
Attachment F	FOIA Appeal Form-To Appeal an Excess Fee

The FOIA Coordinator may use the forms in substantially the form attached as Attachments A through F in processing FOIA requests. The FOIA Coordinator may modify the forms attached as Attachments A through F as necessary or appropriate to conform the forms to these Procedures & Guidelines or the Act or to otherwise improve the forms for use by the FOIA Coordinator and the public.



**PAW PAW DISTRICT LIBRARY**

Officers & Board Committee Members

Board Members Term Expiration

President: Gregory Butler  
Vice President:  
Secretary: Suzanne Miller  
Treasurer: Catey Bolton

Dave Cushing  
Term Expires 2020

Building and Grounds:

Gregory Butler  
Suzanne Miller  
Sherry Bennett

Julie Pioch  
Term Expires 2020

Laurie Cooper  
Term Expires 2020

Finance:

Catey Bolton  
Julie Pioch  
Library Bookkeeper

Gregory Butler  
Term Expires 2018

Long Range Planning:

Catey Bolton  
Suzanne Miller  
Laurie Cooper

Catey Bolton  
Term Expires 2018

Personnel & Nominating:

Gregory Butler  
Julie Pioch  
Laurie Cooper

Suzanne Miller  
Term Expires 2018

Sharon (Sherry) Bennett  
Appointed 9-19-2016 to fill Fevig  
Term Expires 2018

Policy & By-Laws:

Julie Pioch  
Dave Cushing  
Sherry Bennett

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