

Millington Arbela District Library

Policy and Document Manual

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The Bylaws of the District Library Board

Adopted August 9, 2004

Revised January 15, 2007

Revised February 5, 2024

The legal name of this organization is the Millington Arbela District Library

This District Library was formed by agreement between Arbela Township and Millington Township, each in Tuscola county, State of Michigan (called “the District Agreement”) under the District Library Establishment Act, 1989 PA 24, MCL 397.171 (called the “Act”). In all respects the Library Board shall be bound by the terms of this agreement.

The District Library is a public body. All operations are to be conducted in accordance with the Federal and State requirements for a public body.

Mission statement

The purpose of the Millington Arbela District Library shall be to furnish, for the people of all ages in the community at large, material needed for knowledge, information, research and recreation. Service to the library patrons will be the most important objective of the Library Board and staff.

Article I Board Membership

In accordance with the provisions of Section 11(c) of the “Act”, MCL 397.181, it is established that the Millington/Arbela District Library Board, referred to as the “Board”, shall consist of seven (7) members elected at large to a four (4) year term. Elections to be held in conjunction with the November General Election. Each member of the Board shall have one (1) vote. Terms of membership shall begin at the January meeting immediately following the election.

Article II Duties and responsibilities of a Board member

Regular attendance at all regularly scheduled and special meetings.

Serve as appointed on standing and special committees.

Actively participate in meetings.

Stay informed on all matters pertaining to operation, development, and problems relating to library service, present and future.

All books, records, accounts, reports, manuals and papers are the property of the Library Board. If a Board member resigns or otherwise terminates his appointment, all property of the Library Board are to be returned to the Board Secretary

Article III Officers

1. Officers of the board shall be a President, Vice President, Secretary, and a Treasurer.
2. The officers shall be elected by written ballot at the January meeting for a term of one (1) year. Vacancies in office shall be filled by written ballot at the next regular meeting of the board after the vacancy occurs. Elections may be conducted by voice vote if the Board members agree.

Duties and Responsibilities of Officers

Duties of the President

1. Preside over all regular and special meetings.
2. Appoint all standing and special committees, subject to Board approval.
3. Shall have authority to make decisions with regard to unusual circumstances which may arise, subject to approval of the Board at next regular or special meetings.
4. Co-sign checks in the absence of treasurer.
5. The President is an ex-officio member of all committees except the nominating committee.

Duties of the Vice-President

To assume duties of President in his/her absence. The vice-president is not an ex-officio member of any committees.

Duties of the Secretary

1. Record and maintain minutes of regular and special meetings. Keep duplicate copies of all board minutes available at the Library Office in a secure place.
2. Provide a record of board members in attendance at each meeting.
3. Complete all official correspondence for the library Board.
4. Establish and maintain records of by-laws and Board policies.
5. Make minutes available and open to inspection in accordance with the Michigan Open Meetings Act.

Duties of the Treasurer

1. It is the primary responsibility of the treasurer to review and approve properly presented bills and co-sign checks; the treasurer is the prime co-signer for the checking accounts.
2. Review financial and tax records.
3. Review monthly financial reports.
4. Keep financial records safe and secure at the Library with back-up copies at an off-site secure location.
5. Maintain records of all investments. Report the status of these to the Board at each regular meeting. The Treasurer is the Investment Officer for the Library Board.
6. Treasurer has the right to refuse to sign or initial any document deemed inappropriate. Said document shall be presented before the board for review at a regularly scheduled board meeting. The board may approve said document by a majority of the attending board members.

*Duties and responsibilities listed may be delegated to the director or other board members.

Article IV. Meetings

1. The Library Board shall meet monthly at the library. A meeting schedule for the year shall be prepared at the Annual Meeting in January and published as required by Michigan Open Meetings Act. [In accordance with Act No. 267 of the Public Acts of 1976 MCL 15.261 -15.275]
2. Special meetings may be called by the President of the Library Board, The Vice-President of the Board, The Library director or at the request of two (2) Board members
3. A quorum for transaction of business shall consist of a simple majority of the elected board members.
4. Agenda items must be submitted to the Library Director or the Library Board Secretary by 5:00 P.M. on the Friday before the meeting. The agenda can be amended at the beginning of the meeting by simple majority of the members present.
5. Annual Meeting. The regularly scheduled meeting in January shall be called the Annual Meeting. The election of officers, appointment of Standing Committees and any other business that may arise is to be conducted at this meeting.
6. Voting at regularly scheduled meetings may be by voice vote or show of hands. Proxy votes or phone votes are not valid at any time. A Roll Call vote may be required at closed or special meetings that the public is not attending.
7. **Order of Business** –

The order of business at each meeting shall be as follows:

- Call to order
 - Reading and approval of minutes
 - Public comment or Special guests
 - Financial Reports
 - Director's Report
 - Committee reports
 - Old business
 - New business
 - Adjournment
8. Robert's Rules of Order, last revised edition, shall govern the parliamentary procedure of the Board.

Article V. Committees

General –

The Chairperson for each Standing committee shall be appointed by the President, with Board approval, at the Annual meeting following the election of officers.

Standing committees are usually permanent. Standing committees consist of a member of the board appointed as chairman and additional volunteer members as necessary enlisted from the community. Outside volunteer members to be selected by the committee chairman as needed on a temporary or continuing basis.

Special committees may be appointed any time as deemed necessary by the President or Library Board members. Special committees may be permanent or temporary and are created to investigate, study and report to the Board.

Executive Committee

The Executive Committee shall consist of the President, Vice President, and Secretary of the Library Board. The committee to meet as necessary to accomplish the following tasks:

The Executive committee will act as the Board of Appeals for any Personnel matters.

The Executive committee shall oversee compliance with the Freedom of Information Act.

The Executive Committee shall act as the Personnel Committee to hear suggestions for modification of the Personnel Policy. This committee will review the Personnel policy as necessary and bring any proposed changes to the Library Board for possible action.

Emergency Powers of the Executive Committee

In case of emergency, the members, or any individual member, of the Executive committee has the power to –

Take temporary charge of all administration and operations of the Library for as long as the emergency exists.

Change the hours of operation, extend the hours, or close the Library, in order to meet emergency conditions. Conditions may be weather related, civil strife or other conditions requiring immediate decisions.

The Executive committee, individually or collectively, may obtain, enlist, discharge, promote or hire temporary staff, maintenance personnel, or law enforcement persons as necessary to meet an emergency situation.

Any emergency decisions made shall be documented and reported to the Board at the next regularly scheduled meeting.

Section I - Standing Committees

Standing committee meetings must be posted to the public in compliance with the Open Meetings Act. Standing Committees will be appointed as needed.

Long Range Planning Committee

Membership to consist of the Library Director and two (2) board members, as appointed by the President with the Library Director as Chairperson. Additional members from the public may be invited to provide additional ideas.

Duties are to be aware of new developments in library services anticipate needed changes. Then present plans to the Board for incorporation of needed changes and/or additions.

Article VI. Library Director

The Director is hired by the Library board for an indefinite term and shall be considered an executive member of the Board. The Director shall have sole responsibility for the administration of the library, under the direction and review of the Library Board. The Director shall be held responsible for the day to day care of the building and equipment, for the employment of the staff, and for the operation of the library under the financial conditions set forth in the annual budget. The Director shall attend all Board meetings and actively participate in discussions, but shall not vote.

The Director is the Human Resources Director for the Library. Any personnel issues must first be directed to the Director. If the issue cannot be resolved at this level then the dispute or issue may be taken to the Executive Committee.

The Director shall keep all financial and meeting records (or copies of same) available during published hours. The director shall arrange for there to be a yearly audit of the financial records of the District Library after the end of each fiscal year. The audit is to be conducted by an independent firm and the audit report presented to the Board. The Director will prepare the annual budget or adjustments to the budget and present the proposed budget to the Library Board for approval.

Article VII. Amendments to By-laws

Amendments may be presented at any regular or special meeting for discussion and may be adopted at the next regular or special meeting by a favorable vote of a majority (not less than four) of the elected board members.

Article VIII. Failure to attend meetings

1. Any elected member of the Library Board who fails to attend at least 50% of the regularly scheduled meetings of the board during the previous twelve-month period or is absent from six consecutive regularly scheduled meetings shall be subject to reproof by the members of the board.
2. Any Officer or member of the Board may raise the issue of a members continued absence.
3. The President or other presiding officer (permanent or temporary) shall cause an inquiry to begin to determine if the facts are as presented.
4. The members of the Board must determine if the subject person has been notified in advance of the meetings to be attended.
5. If the board members approve, the presiding officer shall cause a letter to be drafted over an officer's signature and delivered within seven days.
6. The letter shall advise the member that the absence has been noted and request that person answer in writing or in person giving the reasons for the continual absence. An agreement to attend future meetings regularly or an offer of their resignation is the expected response.
7. The letter should request that the member return all books, receipts and any other property belonging to the Board.
8. If the member is an officer, that office may be vacated at once by a majority vote and the office filled in accordance with Article III, Section II. Notice should be given that the office is considered vacated.
9. If there is no satisfactory answer from the absent member and the member continues to be absent from meetings the Executive committee should meet and search for ways to remedy the situation.

(End of Bylaws)

Standing Rules for the Millington Arbela District Library Board

The Standing Rules are created by the Library Board for its own use and may be adopted or modified at any regular meeting. These rules may be changed, rescinded or suspended at any meeting by a simple majority. Standing Rules may not be modified at the same meeting in which they were adopted except by a favorable vote for reconsideration.

No Standing Rules may be adopted that will conflict with the By-Laws.

Meetings

All regular or special meetings to begin at 7:00 PM unless otherwise announced. All meetings must be posted in advance and open to the public except those meetings specifically exempt by the Open Meetings Act.

Outside guests or interested public shall be given the opportunity to speak at the earliest practical point in the meeting. The public need not identify themselves unless they wish to address the Library Board.

During public comment, each spokesperson shall identify themselves (*does not apply to silent attendees*) by signing up at the door and may have three minutes to speak to the Board. A spokesperson speaking for a group *if that group is in attendance*, shall be allotted up to five minutes total.

Voting

All voting at regularly scheduled meetings will normally be done by voice vote or show of hands. Negative votes may be noted in the minutes if requested.

Reports

The minutes of the previous meeting need not be read aloud if they are presented in writing to the board members. The President may ask for corrections or additions and if there no objections or corrections the minutes will be accepted as presented.

Any reports submitted in writing including the Financial Report and other committee reports do not need a second. A motion to accept the reports is sufficient. The approval of payment of monthly bills does require formal approval by the Board.

A report is expected from each Standing Committee chairperson at each meeting. A statement of “no report” or “nothing to report” is acceptable. Lengthy reports should be provided in written form to the Board Secretary.

Motions, Proposals and Resolutions

When possible, to avoid errors, a lengthy motion should be prepared in advance and given to the secretary in written form

Duties of Board Members

President- Calls the meeting to order at the appointed time. Welcomes any guests or attending public. If the Secretary is not present, immediately appoints a temporary replacement.

At the appropriate point in the meeting the President asks for a report from each of the Standing Committees. Reports from special committees may be requested if timely.

Vice President –The Vice President shall take charge of the meeting at any time the President is absent.

Secretary – The secretary records the proceedings (what is done; not what is said) of each meeting, records the names of those board members present and mentions the names of those Board members who are absent.

The secretary calls the meeting to order if the President and the Vice President are absent and continues to preside until a temporary chairman is appointed by the Board members.

The secretary keeps a copy of the Bylaws and all the current amendments ready for use at each meeting.

After the previous meeting's minutes are approved, the secretary shall file a copy of those minutes at the Library for the convenience of the public

Committees

Each committee chairperson shall keep a current list of their committee members on file with the Board Secretary.

Each chairperson should designate a vice chairperson for the committee that may bring timely reports of the committees status to the Board.

Circulation Policy

Adopted September 11, 2007

Amended December 3, 2012

Amended July 12, 2021

Amended November 7, 2022

Amended February 5, 2024

Membership Requirements

In-District Membership

Patrons that fall under this category may sign up for a library card with a 30 physical material item limit. Patrons must show proof that they qualify for an in-district membership. Types of no fee memberships are as follows:

- a. In-District Residents: A patron that lives or owns property within Millington or Arbelá Townships.
- b. Library Staff: Staff that work for the Millington Arbelá District Library.
- c. In-District School Students: Students attending schools that fall within Millington or Arbelá Townships. This includes public schools and parochial schools. Students participating in an exchange program at schools in-district or who are hosted by a family in-district also qualify.
- d. In-District School Staff: Staff that work in schools that fall within Millington or Arbelá Townships. This includes public schools, charter schools, and home-schools.

Out-of-District Membership

A person who does not qualify under an in-district membership is eligible for an out-of-district membership. Out-of-District members must pay an annual fee of \$25 to maintain membership.

Persons applying for a library card must fill out all parts of the application and show some form of identification with their current address. Examples of acceptable identification are a Michigan driver's license, a Michigan identification card, a school identification card, 2 utility bills, paystubs, etc.

The charge for a replacement library card shall be \$1.00.

Check Outs

New patrons are allowed to check out only three items. Established patrons may check out a maximum of thirty (30) items

Patrons with \$3.00 or more in accumulated fines may not check out any items.

Patrons who have stated more than twice that they have returned material, but the material cannot be found in the library, may not check out any more material until all materials that are out are either returned or paid for.

Books, magazines, and audiobooks may be checked out for three weeks. DVDs may be checked out for seven days.

Renewals

All items may be renewed once over the phone or on-line as long as there is no “hold” on the item. For additional renewals, the items must be brought to the library.

Fines

Fines on books, magazines, and audiobooks shall be \$.10 per item per day overdue. Fines on DVDs shall be \$1.00 per item per day overdue. The maximum fine on any item shall be \$10.00

Lost Items

The charge for a lost item shall be the cost of the item as it appears in the computer circulation system or on its accession card. The charge for a lost magazine shall be \$3.50. If an item is returned good condition within 3 months of the payment, the payment shall be returned to the patron. Damaged items will be charged on an individual basis depending on the extent of the damage and the age of the item.

Overdue items

Patrons will be notified by their listed preferred method of contact of an overdue item one week after the item became overdue.

If the item has not been returned within two weeks, patrons will again be notified by their listed preferred method of contact.

If the item has not been returned within four weeks, the patron will be notified by letter.

If the item has not been returned or paid for within eight weeks, the patron will be sent an invoice and warned of possible collection agency action.

If the item has not been returned or paid for within twelve weeks, the patron’s debt may be turned over to the collection agency.

Interloans

Patrons in good standing are entitled to use the library’s interloan service

Confidentiality

All information about patrons, regardless of age, is confidential and will not be released to anyone without a court order. This includes unlisted phone numbers, overdue records, and titles

of items that a person has checked out at any time. Information listed in the phone book is not considered confidential.

CREDIT CARD USE POLICY

Approved September 8, 2003

Amended June 25, 2007

Amended January 5, 2015

Updated July 12, 2021

The treasurer is responsible for issuing, accounting for, monitoring, retrieving and generally overseeing compliance with the library's credit card policy.

Library credit cards may be used only by named card holders for the purchase of goods or services for the official business of the library. The use of the credit cards is limited to purchases of up to \$1,000.00 at any one time.

Named card holders may include the Director, the Assistant Director, the Library Board President and Treasurer. Other individuals may be named as decided by the Library Board.

Named card holders who use a library credit card shall, as soon as possible, submit a copy of the vendor's credit card slip to the treasurer of the library board. If no credit card slip was obtained that described the transaction, the named card holder shall submit a signed voucher that shows the name of vendor or entity from which goods or services were purchased, the date and the amount of the transaction, and the official business that required the transaction. All credit card slips shall include this information as well. Vouchers shall also include a statement why a credit card slip was not obtained.

A named card holder who is issued a credit card is responsible for its protection and custody. If a credit card is lost or stolen, the treasurer shall be notified. The entity issuing the lost or stolen credit card shall be immediately notified to cancel the card.

A named card holder issued a credit card shall return the credit card to the treasurer upon termination of his or her employment or service with the library.

The treasurer shall maintain a list of all credit cards owned by the library, along with the name of the officer or employee who has been issued the credit card, the credit limit established, the date issued, and the date returned. Each employee shall initial the list beside his or her name to indicate agreement that the credit card has been issued, and that the employee has received and read a copy of this policy.

The treasurer shall review each credit card statement as soon as possible to ensure that transactions comply with this policy. Any transactions that appear on the statements that are not documented with a credit card slip or a signed voucher shall be immediately investigated. Transactions that do not appear to comply with this policy shall be reported to the library board of trustees.

The library board of trustees shall not approve a payment to the entity issuing the credit card until all transactions have been verified, including the approval of all transaction invoices if issued.

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

Named card holders who use a library credit card in a manner contrary to this policy shall be subject to the following disciplinary actions, as deemed appropriate by the library board:

Verbal counseling

Written reprimand

Suspension

Termination

Reimbursement to the library for unauthorized expenditures.

This resolution was approved on September 8, 2003.

This resolution was amended on June 25, 2007.

This resolution was amended on January 5, 2015.

This resolution was updated on July 12, 2021.

Frieda Meachum Conference Room

Rules of Use by Outside Groups

- The conference room will be available to all non-commercial groups where no products or other services are sold or have a fee attached; no campaign, religious or educational activities allowed.
- Applications for the use of the conference room must be made by an officer of the group and approved by the director.
- Users of the conference room shall be responsible for any and all damages resulting from their use of the room.
- Groups using the conference room must clean up after themselves at the end of their time allotted.
- No food or drink is allowed.
- No smoking on library property.
- The library is not responsible for any personal belongings.
- The conference room may only be used when the library is open.
- Users of the conference room shall not exceed its capacity of 15 adults.
- Users may reserve calendar dates for one month in advance; reserving dates more than one month in advance may be done at the discretion of the director.
- Electrical equipment must be approved before it is used.
- Activities that may stain or mar the conference room are prohibited.
- Liability insurance may be required.
- Certain fee-based services may be allowed at the discretion of the Director.

Signature of Officer of Group

Date

Signature of Library Official

Date

Library Rights

The rights of an individual to use the Millington Arbela District Library should not be abridged or denied. To guarantee these rights for all persons, no Library patron shall engage in behaviors prohibited by the following rules of the Library Board of Trustees.

NO PERSON SHALL:

1. Make solicitations for any reasons;
2. Eat, drink, or smoke;
3. Willfully annoy another person;
4. Damage or deface public property;
5. Improperly remove Library materials or equipment;
6. Loiter in the Library;
7. Engage in loud or boisterous conduct;
8. Be in a state of intoxication in a manner that causes 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 without wearing a shirt or shoes;
12. Interfere with other Library patrons' use of the facilities through extremely poor personal hygiene;
13. Violate any Local, County, State or Federal law in the Library or on Library grounds;
14. Censor or limit another user's access to information.

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

Passed by the Millington Township Board on April 27, 1992.

Revised for the Millington Arbela District Library in August 2004.

COMPUTER USE POLICY

This Computer Use Policy is designed to provide all members of the public with fair, equitable access to computer services.

Library Cards

- a. Millington Arbela District Library patrons must use their own library card. Only current (unexpired) library cards may be used. To insure all patrons an equal opportunity to use the public access computers, patrons must present their library card and sign the login sheet.
- b. Patrons using another person's library card (with or without permission) will be suspended. In order to protect the owner's rights, cards that are used by persons other than the owner will be invalidated until the owner is able to show identification.

Time Limits – The initial time limit may be 30 minutes. If no one is waiting, computer time may be extended. The Millington Arbela District Library does not guarantee a specific amount of time for computer use.

Specific Use Computers – Some Millington Arbela District Library computers are designated for specific purposes such as children's software and older Microsoft Office applications. These computers are NOT connected to the Internet.

Filtering

- a. The Millington Arbela District Library network is filtered.
- b. Parents or legal guardians need to be actively interested in and are responsible for supervision of their children's online use of the Internet and other electronic sources. Parents or legal guardians are encouraged to discuss the use of the Internet in relation to family values and boundaries with their children and to monitor their children's use of the Internet. A parent, legal guardian or approved adult care taker must accompany children eleven years of age and under at all times while using the public access computers.

Library Use – Millington Arbela District Library staff may reserve computers for classes.

Closing – Computers and printers will be shut down 15 minutes before the library closes.

Headphones – Headphones are available at each public access computer.

Printing

- a. Black & white pages are 15 cents per page. Color pages are 50 cents per page.
- b. Patrons may use their own specialty paper, such as resume paper. The printing costs remain the same.

Saving Files and Documents – Patrons who wish a permanent record of their work need to save files and documents on their own external, portable hard drive, memory card, or USB drive. Millington Arbela District Library computers do not allow users to save documents or personal files to the hard drive.

Disclaimer – Patrons use library computer hardware and software at their own risk.

- a. The Millington Arbela District Library is not responsible for equipment malfunction, loss of data, any damages to the user's disks, data, or electronic transactions of any type.
- b. The Millington Arbela District Library is not responsible for the loss of any hard drives, CD, or USB drive.
- c. The Millington Arbela District Library computers are filtered using the best available technology. However, users are cautioned that ideas, points of view, and images can be found on the Internet that are controversial, divergent, and inflammatory.
- d. The provision of access does not mean or imply that the Millington Arbela District Library endorses or sanctions the content or point of view of any of the information or commentary which may be found on the Internet.

Staff Assistance – Computing resources are self-serve. While staff members are available to assist users with the equipment, staff members do not provide assistance in the use of software. Staff members are NOT allowed to view patron's personal information such as credit card numbers, social security numbers or banking information.

Illegal and Unacceptable Uses – Patrons may use library computers or the wireless access only for legal uses. Examples of unacceptable uses include but are not limited to the following:

- a. Attempting to crash, degrade performance, or gain unauthorized access to computer systems and networks.
- b. Damaging equipment, software, or data belonging to the Millington Arbela District Library or other users.
- c. Using the Internet for malicious purposes such as intentionally propagating a virus.
- d. Sending unsolicited advertising.
- e. Attempting to gain or gaining access to another person's files or authorization codes.
- f. Using another person's identification, bar code or pin number, with or without permission.
- g. Using, disclosing, or disseminating personal identification information regarding minors without parental permission.
- h. Displaying obscene material, child pornography, or sexual content that might be harmful to minors.
- i. Harassing other users with messages, prints, or images.
- j. Libeling, slandering, or maliciously offending other users.
- k. Violating copyright laws or software licensing agreements.

1. Violating federal, state, or local laws, regulations, or ordinances.

Definitions

- a. Obscenity, as defined in section 1460 of title 18, United States Code and MCL 752.362.
- b. Child Pornography, as defined in section 2256 of title 18, United States Code.
- c. Child sexually abusive material, as defined in MCL 750.145c.
- d. Harmful to Minors – The term “harmful to minors” as defined under MCL 722.674, means any picture, image, graphic image file, or other visual depiction that:
 - i. taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion;
 - ii. depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
 - iii. taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.
- e. Sexual Act; Sexual Contact – The terms “sexual act” and “sexual contact” have the meanings given such terms in section 2246 of title 18, United States Code.

Compliance – Failure to comply with this policy or with library staff directions may result in restriction or termination of the user's library privileges and may result in prosecution under local, state, or federal laws. Any person denied access to the Library or its services may appeal the denial to the Library Director. If the appeal is not resolved by the Director, it may be submitted in writing to the Library Board. The Library Board will provide the person with an opportunity to be heard before deciding the appeal.

INTERNET ACCESS POLICY

The Library's Internet Access Policy is in compliance with federal and state laws.

Philosophy –The Millington Arbela District Library provides the Internet to the public as an informational, educational, and recreational resource.

Internet Content – The Internet, as an information resource, enables libraries to provide information beyond the confines of their own collections. It allows access to ideas, information, and commentary.

- a. The Internet is an unregulated medium. As such, while it offers access to a wealth of material that is personally, professionally and culturally enriching to individuals of all ages, it also enables access to some material that may be out of date, inaccurate and offensive.
- b. The Millington Arbela District Library is not responsible for the content of information accessed or selected.
- c. The Millington Arbela District Library strives to maintain a computing environment that promotes access to a wide variety of electronic information in an array of formats; however, Millington Arbela District Library makes no guarantee that all Internet content and services will function on its equipment.
- d. If an adult wants unfiltered access to the Internet, the adult must make a request to staff to have the filtering software turned off. At least one computer may become unfiltered.

Privacy – It is the policy of the Millington Arbela District Library to preserve the confidentiality of library usage records of its patrons in accordance with the Library Privacy Act as last amended.

- a. Unless ordered by a court after giving Millington Arbela District Library notice of the request and an opportunity to be heard on the request, the library or an employee or agent of the library shall not release or disclose a library record or portion of a library record to a person without the written consent of the person identified in that library record or that person's parent or legal guardian.
- b. The Millington Arbela District Library makes no representations regarding the privacy of information sent over the Millington Arbela District Library network (including Wireless Access) accessing the Internet including e-mail, chat, or instant messenger. Those transmissions are not guaranteed to be secure against interception and may be monitored by a third party.

Technology Protection Measure – It is Millington Arbela District Library's policy to comply with the requirements of the Michigan Library Privacy Act, 1984 PA 455, MCL 397.601 *et seq.*, and the Children's Internet Protection Act (CIPA) (47 USC § 254 and 20 USC § 9134) and the June 23, 2003 United States Supreme Court decision relating thereto, as well as provisions in the Michigan Library Privacy Act regarding restriction of Internet access to minors (MCL 397.606). Millington Arbela District Library uses a technology protection measure (or

“Internet filter”) to restrict access to Internet sites that contain adult content (nudity, pornography, as well as proxy avoiding web pages). All public computers are filtered.

Filtering Guidelines – Millington Arbela District Library uses the requirements of CIPA and Michigan law to determine what the filter should block. Millington Arbela District Library uses the least restrictive blocking categories provided by the filter vendor that by their definitions appear to include prohibited content. Content to be blocked includes obscenity as defined in 18 USC § 1460, child pornography as defined in 18 USC § 2256, and sexual content harmful to minors as defined in 47 USC § 254 and 20 USC § 9134.

Parental Guidance – Parents need to be actively interested in and are responsible for supervision of their children's use of the Internet and other electronic resources. Parents and guardians are encouraged to discuss the use of the Internet and family values with their children.

- a. Parents and guardians need to be aware that the filter is not totally effective and the Millington Arbela District Library cannot assure that a child will not purposefully or inadvertently access inappropriate materials.
- b. The Millington Arbela District Library does not filter the content of e-mail, chat rooms, or other forms of direct electronic communication and cannot therefore assure the safety and security of minors using these functions.
- c. The Millington Arbela District Library cannot protect against their children's unauthorized access to computer resources, including “hacking,” and other unlawful online activities.
- d. The Millington Arbela District Library cannot protect against unauthorized disclosure, use, and dissemination of personal identification information regarding their children if their children provide it while using the Internet.

Wireless Access – Authorized and approved wireless access to the Internet is supported by Millington Arbela District Library within the libraries during library hours.

- a. The Millington Arbela District Library network is an open network and is not secure.
- b. Most Wi-Fi equipment will be compatible. However, the Millington Arbela District Library can make no guarantee to compatibility of equipment with Millington Arbela District Library's network.
- c. Printers are not available via this “Hot Spot” wireless connection.
- d. The Millington Arbela District Library cannot guarantee wireless connectivity.
- e. Millington Arbela District Library staff cannot assist with a patron's computer, wireless network card, or configuration.
- f. Millington Arbela District Library assumes no responsibility for any loss or damages done directly or indirectly to personal data, equipment, unattended equipment or for any damage or injury arising from loss of privacy arising from use of its World Wide Web server, wireless connection, or connection to other Internet services.
- g. Millington Arbela District Library staff is not responsible for any changes made to a patron's computer settings.

- h. Wireless users must comply with the Millington Arbela District Library Computer and Internet Use Policies. Users are expected to use the Millington Arbela District Library's wireless access in a legal and responsible manner.

Complaints and Penalties – If a user feels that a web site is being blocked or allowed inappropriately by the filter, the user may request that it be reviewed by library staff.

Definitions

- a. Obscenity, as defined in section 1460 of title 18, United States Code and MCL 752.362.
- b. Child Pornography, as defined in section 2256 of title 18, United States Code.
- c. Child sexually abusive material, as defined in MCL 750.145c.
- d. Harmful to Minors – The term “harmful to minors” as defined under MCL 722.674, means any picture, image, graphic image file, or other visual depiction that:
 - i. taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion;
 - ii. depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
 - iii. taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.
- e. Sexual Act; Sexual Contact – The terms “sexual act” and “sexual contact” have the meanings given such terms in section 2246 of title 18, United States Code.

Compliance – Failure to comply with this policy or with library staff directions may result in restriction or termination of the user's library privileges and may result in prosecution under local, state, or federal laws. Any person denied access to the Library or its services may appeal the denial to the Library Director. If the appeal is not resolved by the Director, it may be submitted in writing to the Library Board. The Library Board will provide the person with an opportunity to be heard before deciding the appeal.

This policy was adopted by the Millington Arbela District Library Board of Trustees at a regular meeting on August 6, 2012.

Investment And Depository Designation Resolution

WHEREAS, The Millington Arbela District Library Board in exercising its fiduciary responsibilities desires to safeguard the funds of the District Library that may be invested from time to time, and

WHEREAS, Public Act 77 of 1989, MCL 41.77 requires that the District Library Board designate the banks of depositories for the money belonging to the Library, including the time for which the deposits shall be made and all details for carrying into effect the authority given in this act, and

WHEREAS, This investment policy applies to all financial assets of Millington Arbela District Library Board. These assets are accounted for in the various funds of the library and include the general fund, special revenue funds, debt service funds, capital project funds, enterprise funds, internal service funds, trust and agency funds and any new fund established by the library.

WHEREAS, Public Act 196 of 1997, MCL 129.91 et seq. requires District Library Boards, in consultation with the Board Treasurer, to adopt an investment policy, now

THEREFORE, BE IT RESOLVED, That the board approves the following financial institutions as depositories of Library funds:

The Frankenmuth Credit Union

BE IT FURTHER RESOLVED, That the treasurer may invest District Library funds in certificates of deposit, savings accounts, deposit accounts, or depository receipts of a bank but only if the bank, savings and loan association, or credit union meet all criteria as a depository of public funds contained in state law. The standard of prudence to be used shall be the “fiduciary” standard and shall be applied in context of managing an overall portfolio.

BE IT FURTHER RESOLVED, That the prior approval of the Library Board, shall be required for the treasurer to invest in any other lawful investment instruments, in accordance with Michigan Public Act 20, of Public Acts of 1943, as amended.

BE IT FURTHER RESOLVED, that it will be the policy of Millington Arbela District Library Board to invest its funds in a manner that will provide the highest investment return with the maximum security while meeting the daily cash flow needs of the library and complying with all state statutes governing the investment of public funds. The Library Board may authorize the Treasurer (also called the Investment Officer) to invest in the following:

Bonds, securities, and other obligations of the United States or an agency or instrumentality of the United States.

Certificates of deposit, savings accounts, deposit accounts, or depository receipts of a financial institution, but only if the financial institution is eligible to be a depository of funds belonging to the state under a law or rule of this state or the United States.

Commercial paper rated at the time of purchase within the two highest classifications

established by not less than 2 standard rating services and that matures not more than 270 days after the date of purchase.

Repurchase agreements consisting of instruments listed in subdivision (a).

Bankers' acceptances of United states banks.

Obligations of this state or any of its political subdivisions that at the time of purchase are rated as investment grade by not less than 1 standard rating service.

Mutual funds registered under the investment company act of 1940, title 1 of chapter 686, 54 Stat. 789, 15 U.S.C. 80a-1 to 80a-3 and 80a-4 to 80a-64, with authority to purchase only investment vehicles that are legal for direct investment by a public corporation. However, a mutual fund is not disqualified as a permissible investment solely by reason of either of the following.

The purchase of securities on a when-issued or delayed delivery basis.

(ii) The ability to lend portfolio securities as long as the mutual fund receives collateral at all times equal to at least 100% of the value of the securities loaned.

(iii) The limited ability to borrow and pledge a like portion of the portfolio's assets for temporary or emergency purposes.

Obligations described in subdivisions (a) through (g) if purchased through an inter-local agreement under the urban cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512.

Investment pools organized under the surplus funds investment pool act, 1982 PA 367, MCL 129.111 to 129.118.

The investment pools organized under the local government investment pool act, 1985 PA 121, MCL 129.141 to 129.150.

BE IT FURTHER RESOLVED, That decisions and actions involving the District Library's investment Portfolio shall meet the following criteria:

Safety: Safety of principal is the foremost objective of the investment program. Investments shall be undertaken in a manner that seeks to ensure the reservation of capital in the overall portfolio.

Diversification: The investments will be diversified by security type and institution in order that potential losses on individual securities do not exceed the income generated from the remainder of the portfolio.

Liquidity: The investment portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated.

Return on Investment: Return of investment is of secondary importance compared to safety and liquidity objectives. Investments shall be selected to obtain a market average rate of return. The core of investments is limited to relatively low risk securities.

BE IT FURTHER RESOLVED, That the treasurer may elect to have certificates and other evidence of investments held by a financial institution, provided that the financial institution

presents to the Library Treasurer sufficient documentation and acknowledgment of the investment instruments held on behalf of the Millington Arbela District Library Board.

BE IT FURTHER RESOLVED, That the Millington Arbela District Library Board will comply with all applicable statutes related to public fund investments. Any provisions of this resolution in conflict with applicable statutes is void.

The Millington Arbela District Library Board investment and depository designation resolution was passed at a regular board meeting held on July 26, 2006.

Jody A. Hunt, President

Certification

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Millington Arbela District Library Board, county of Tuscola, State of Michigan at a regular meeting held on July 26, 2006 and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act 267, Public Acts of Michigan, 1997, as amended and that the minutes of said meeting were kept and will be or have been made available as required by said Open Meetings Act.

Jody A. Hunt

COMPUTER/INTERNET POLICY

GENERAL GUIDELINES

1. The public-use computers are available during normal library operating hours. Patrons need to sign the computer log and present library cards prior to use. The public-use computers will be shut down fifteen minutes prior to the library's closing time for that day.
2. Patrons must read the procedures and policies regarding computer usage as established by the Millington Arbela District Library Board and must have signed a computer use agreement prior to using any computers other than those machines that list the contents of the Millington Arbela District Library. Patrons under the age of eighteen must also have the agreement signed by a parent or guardian. A parent, legal guardian, or approved adult care taker must accompany children eleven years of age and under at all times while using the public access computers. Parents/legal guardians are ultimately responsible for any damages inflicted upon any equipment and or software used by children or adolescents under their legal supervision, including the costs incurred to repair or replace any hardware or software.
3. Some equipment is intended for the use of patrons needing word processing. Patrons must familiarize themselves with the currently installed word processing program. While library staff members are available to offer assistance in operating the computers, staff members and other employees cannot devote time to the tutoring of patrons in computer usage. The library will make every reasonable attempt to provide computerized tutorial programs available to assist each patron.
4. Tutorial classes may be offered and will require pre-registration. Patrons may register by telephone or in person at the library. Tutorials will acquaint patrons with operating procedures and simple commands; they will **not** be a course in or an introduction to programming.
5. In order to insure everyone an equal opportunity to use the library computers, patrons must 1) sign the login sheet; 2) first come first serve; 3) use in hour blocks of time. Patrons who have not had the opportunity to use the library's computers shall have the right to use the computers before anyone who has already had an hour access to the machines. This includes anyone who has signed up before them.
6. Additional access time will be determined by the library staff on the basis of over-all user demand, including the need for staff access for library support purposes. No more than two people shall be at a computer at a time.
7. Patrons requiring special needs should consult with the librarian or clerk on duty.
8. Patrons may use their own disks, USBs, or portable, external hard drives to download or save information.

9. Patrons may not install any personal programs or data on the library's hard drive; files must be saved on patrons' individual disks, USBs, or portable, external hard drives. The library reserves the right to periodically delete files from its computers.
10. Patrons may not send, receive, or display text or graphics which may be reasonably construed as pornographic.
11. All library programs are copyrighted and may not be duplicated.
12. The library is not responsible for lost and or corrupt data.
13. The charge for printing material will be 15 cents per page for black and white and 50 cents per page for color. Patrons must check with the librarian or clerk on duty to make arrangements to use the printers.
14. The library cannot insure that patrons' individual disks, USBs, or portable, external hard drives will not be infected with computer viruses, Trojan horses, or malware which may be embedded in files that are downloaded from the Internet, stored on the library's computers' hard drives, or embedded in other library-owned hardware or software.
15. The library cannot guarantee the security of information stored on individual patrons' disks, USBs, or portable, external hard drives.
16. The library staff is not allowed to view patron's personal information such as; credit cards, social security numbers, account numbers, etc.
17. The library staff may not discriminate on any basis in their monitoring of computer usage. This includes but is not limited to age, race or sex.
18. Using library computer equipment for purposes other than those permitted under the Millington Arbela District Library Computer/Internet Policy or performing any act that damages, disables or redirects computer hardware or software will result in the following discipline:
 - a. If a patron performs any act that damages, disables or redirects computer hardware or software, the patron will no longer be allowed to use any library computer.
 - b. If a patron displays child pornography on any library computer, the patron will no longer be allowed to use any library computer and authorities will be notified.
 - c. For all other violations of the Computer/Internet Policy:
 1. First Offense will result in a warning.
 2. Second Offense will result in suspension from use of all library computers forever.

A library patron has the right to appeal their suspension to the Millington Arbela District Library Board.

ADOPTED ON SEPTEMBER 8, 1997
UPDATED NOVEMBER 7, 2005
AMENDED MAY 1, 2006
AMENDED JUNE 25, 2007
UPDATED SEPTEMBER 7, 2010
AMENDED JULY 12, 2021

INTERNET USAGE POLICY FOR PUBLIC ACCESS COMPUTERS

To be displayed when computer users sign on.

Millington Arbela District Library
8530 Depot St., P.O. Box 306
Millington, MI 48746

The Millington Arbela district Library is your community resource for a world of information and knowledge. To this end, all patrons will have enhanced accessibility to ideas and information through the Library's connection to the Internet in the library.

A global network of computers, the Internet provides access to a wide variety of educational, recreational, and reference resources, many of which are not available in print, but there is no central control over its content or users. The Millington Arbela District Library does not monitor and exerts no control over the information accessed through the Internet and cannot be held responsible for the content of the Internet. The Internet and its resources may contain controversial or offensive material. The Millington Arbela District Library does not restrict access or protect persons from information individually offensive, except as provided by law.

Library patrons use the Internet at their own discretion and are expected to abide by the Millington Arbela District Library's Internet Usage Policy. As with all library resources, parents and guardians of minor children, not the Millington Arbela District Library, are responsible for their children's use of and exposure to the Internet through the library's connection. Filtered Internet access is available at the library. However, filters are unsuccessful in limiting access to all web sites that some individuals may find objectionable. Due to the nature of the Internet, despite its efforts, the library cannot ensure the availability, accuracy, accessibility, or even appropriateness, of electronic resources. The library reserves the right to set limitations on the use of electronic resources.

Users of the library's Internet access must observe copyright and communication laws and others' right to privacy. Illegal activities or any other activities intended to disrupt computer or network services or equipment are prohibited. Individuals are prohibited from using library resources for illegal purposes as may be defined by applicable local, state, or federal law and may be subject to prosecution for violation.

Filtering Information

If you are 18 years of age or older, you have the right to ask for the Internet content filtering to be disabled. If your Internet content filtering is disabled, you are still expected to abide by the Internet Usage Policy of the Millington Arbela District Library.

If you are under 18 years of age, and feel that an Internet site's content has been blocked inappropriately, you may request library staff to review the site and at the staff's discretion set the Internet filtering to allow access to it.

Wireless Internet Policy

- All persons accessing the Internet via the Millington Arbela District Library's network must comply with the library's Internet Usage Agreement.
- Users should not violate federal, Michigan or local laws, including the transmission or reception of child pornography or harmful material, fraud, or illegally downloading copyrighted material.
- Access points to the Internet are provided by the library free of charge to those patrons with computers appropriate to receive the signal provided.
- Printers are not available for use via this "Hot Spot" wireless connection.
- Library staff members are not responsible for assisting patrons in configuring equipment or troubleshooting problems. They will, however, verify that the wireless router is connected and in service.
- As with any Internet connection, the library maintains no responsibility for the security of any personal information or communication.
- For your own protection, please do not leave equipment unattended within the library. The use of personal equipment is the sole responsibility of patrons and the library maintains no liability for damages thereto.

This policy was adopted by the Millington Arbela District Library Board of Trustees at a regular meeting held on June 25, 2007.

Frieda Meachum Conference Room

Application for Use

Today's Date _____

Meeting Date _____ Meeting Time: From: _____ To: _____

Name of Organization _____

Officer/Responsible Person _____

Address _____

Telephone _____ E-mail _____

I have read and will follow the Rules of Use for the Frieda Meachum Conference Room. The above named organization, through me, will be responsible for any and all damages to Millington Arbela District Library property incurred because of this use of the Conference Room.

Signature _____ Date _____

Director's Approval _____ Date _____

Frieda Meachum Conference Room

Rules of Use by Outside Groups

- The conference room will be available to all groups.
- Applications for the use of the conference room must be made by an officer of the group and approved by the director.
- Users of the conference room may not charge any fee nor profit from the use.
- Users of the conference room shall be responsible for any and all damages resulting from their use of the room.
- No food or drink is allowed.
- No smoking on library property.
- Groups using the conference room must clean up after themselves at the end of their time allotted.
- The library is not responsible for any personal belongings.
- The conference room may only be used when the library is open.
- Users of the conference room shall not exceed its capacity of 15 adults.
- Users may reserve calendar dates for one month in advance; Reserving dates more than one month in advance may be done at the discretion of the director.
- Electrical equipment must be approved before it is used.
- Activities that may stain or mar the conference room are prohibited.
- Liability insurance may be required.

Signature of Officer of Group

Date

Signature of Library Official

Date

LIBRARY COLLECTION DEVELOPMENT POLICY

Selection of Materials

The Millington Arbela District Library selects materials that meet the educational, informational, researching, and recreational needs of the community at large. To provide excellent service to library users, the library provides a free, open, non-judgmental access to collections and services. The library supports intellectual freedom and disavows censorship. The library will provide a collection of broad ideas and diverse viewpoints that take the interests of staff and library users into consideration. The scope of the collection includes materials with widespread, contemporary appeal and historical value at all reading levels and ages. The Library Bill of Rights by the American Library Association may be used as a guide to assist library staff in collection development.

The assistant director and director will select and purchase library materials. Library staff may also assist in the selection process. The director will have the final say on selection. Before the beginning of each budget year, the director will delegate funds to library materials and the library board will vote to ratify or veto the budget. The budget for library materials will be based on the performance of the budget from the previous year, interest in the materials, and forecasted library funding.

When selecting material, each item is considered on an individual basis. When material is being selected various criteria are taken into consideration. Criteria include if the material was evaluated by selection staff, covers a subject not currently represented in the collection, has positive reviews in professional journals, and has popular demand. Popular demand can be either an item on a best sellers list or high local interest.

Library card holders can request the library acquire an item. The material will be considered based on the before mentioned criteria. Materials can be requested in writing. There is no guarantee that a requested item will be purchased.

The library collection attempts to cover a wide variety of subjects but is unable to meet every need. To best meet demand the library may purchase duplicate copies of best-selling books and heavily used material. When practical and available, the library will attempt to provide materials in various formats such as book, non-book, audiobook, DVD, etc. The library also participates in interlibrary loan and networks to allow library users to obtain resources, information, and services that the library does not provide on its own.

Gifts & Donations

The Millington Arbela District Library welcomes donations of new and used books, DVDs, office supplies, and other, similar materials. Once an item is donated to the library, the item becomes property of the Millington Arbela District Library. Donations and gifts are added to the collection based on the selection criteria stated above. If an item is not selected as part of the library

collection, the library can choose what to do with the item such as sell the item, rehome the item, trade for other material, or discard donations. Donations are only accepted as gifts and cannot be returned to the donor. Conditions cannot be placed on an item accepted for donation. The library can write an acknowledgement letter for gifts and donations but the letter will not include an appraisal amount. Appraisal of donations for tax purposes is not provided by the library and is the donor's responsibility to do so before donating.

Donations and gifts in honor or memory of someone are welcomed by the library. Material purchased with these funds will be chosen through the library selection criteria while considering the wishes of the donor and the honoree. Material purchased with memorial or honorary contributions will have a special donor plate whenever possible. Honorary and Memorial donations are processed using the Commemorative Donation Request form.

Donations that alter library property, involve real estate or stock, artifacts, art pieces, or collections must be approved by the library board. The library board will take into consideration maintenance fees, insurance costs, laws and regulations, and the library's needs when determining the acceptance of the donation.

Reconsideration of Library Materials

It is a patron's personal choice what materials they use for personal use. Parents and legal guardians are responsible for what library materials their children and teens use. Patrons may choose what materials work best for themselves but cannot perform censorship to limit or restrict access to materials to others.

There may be library materials that do not fit the taste and interests of individual library patrons. Library staff may discuss concerns and offer alternative titles to library users. If an adult with an active Millington Arbela District Library account takes issue with an item in the collection and is not satisfied after talking to library staff, the library user may fill out a Request for Reconsideration form and submit it to the library director. Only completed forms will be accepted. The person filling out the form must have read, listened to, or viewed the material in its entirety for the material to be reconsidered.

Upon receiving the form, the library director has 30 days to respond. The director will respond to the person who filled out the form in writing with the decision as to what action is or isn't taken in concern to the library material. The patron who submitted the request may appeal the director's decision by submitting an appeal in writing to the president of the library board no later than 10 business days after the director's decision. The board's decision on the material is final. There will be no retaliation by library staff or the board on a library patron that challenges material.

Deselection

Materials are deselected when they no longer suit the library's needs. Deselection keeps the collection relevant and useful. Materials may be deselected due to their physical condition, their

cost of upkeep, include obsolete information, or are no longer in use by library users or staff. Deselected items are disposed of or discarded in a legal manner. These manners include donating, selling, throwing out, or recycling.

Commemorative Donation Request

The Board of Trustees and the Staff of the Library would like to thank you for your generous donation and welcome this opportunity to honor your family, friend, associate or pet. We will send an acknowledgement letter to the family or the honoree and we will send you a copy of that letter.

Today's date _____

Donor Name _____

Address _____

City/State/Zip _____

Amount of Donation: _____ (Make check payable to Millington Arbela District Library)

Information for the bookplate: (Please give the name exactly as it should appear on the bookplate.)

Suggested titles or subjects to place the bookplate in: _____

An acknowledgement letter should be sent to:

Name: _____

Address: _____

City/State/Zip _____

FOR LIBRARY USE ONLY:

Acknowledgement letter sent. _____ Not needed. _____

Copy of acknowledgement letter sent. _____ Not needed. _____

Memorial card typed _____

Book(s) chosen _____

Title(s) of book(s) chosen _____

Title(s) of book(s) chosen _____

Memorial card edited _____

Bookplate typed. _____

Memorial card & paperwork filed. _____

Request for Reconsideration

Name: _____ Library Card #: _____

Address: _____

City: _____ Zip Code: _____

Phone #: _____ Email: _____

Do you represent yourself or an organization? _____

If you represent an organization, which one? _____

Type of material being challenged: Book___ Newspaper___ Magazine___ DVD___ Other
(specify): _____

Title of material being challenged: _____

The material's author, producer, or editor: _____

Have you read, listened to, or watched the entire work? Yes___ No___

What is your objection to the material? Be specific and site page numbers.

What do you recommend the library do with this title?

Are there other resources or titles that you recommend that cover the same subject or viewpoint as this material?

Signature: _____ Date: _____

LIBRARY CONDUCT AND DISCIPLINE POLICY

Behavior becomes unacceptable when it impinges on the rights of others. Unacceptable behavior includes any form of harassment which could result in physical, emotional, or mental injury to oneself or others, or when it could result in damage to the facilities, equipment or materials. Patrons behaving in an unacceptable manner will be asked once to modify their behavior or, upon failure to do so, to leave the library facility. Police will be called if there is not compliance, or if staff feels in any way unable to handle the situation or feels threatened.

Failure to follow the directions of library staff when directed, to abide by these rules or other specific instructions, will result in expulsion from the library.

Examples of unacceptable behavior include:

- Abandonment or leaving of young children unattended
- Abuse and or vandalism of library facilities, equipment or material
- Behavior or language that is offensive to others
- Bringing pets into the library (“working” dogs are allowed)
- Chewing tobacco
- Drinking
- Eating
- Entering library without shirt or shoes
- Excessive noise or noise which disturbs others
- Harassment or physical, sexual, or verbal abuse, in any form, of other library users or library staff
- Intoxication
- Illegal activities within the library or on library grounds
- Loitering
- Obscene language or activity
- Roller-blading, skating or skateboarding
- Smoking
- Spitting
- Soliciting
- Unruly or offensive behavior
- Use of cell phones except in library foyer (set phones to silent mode)

DISCIPLINE

At any time when asked to leave the library you must also leave the premises.

First Offense: Banned from the library premises for one day.

Second Offense: Banned from library premises for one week. If the patron is a minor child, a letter will be sent to the parents or legal guardian that must be signed and returned to the Director or the Assistant Director in person before the minor child is allowed in the library again.

Third Offense: Banned from library premises for one month.

Fourth Offense: Banned from library premises for six months.

Fifth Offense: The patron may never enter library premises again.

After the Fifth Offense, the patron has the right to appeal to the Library Board.

Adopted by the Millington Arbela District Library Board: April 12, 2006

Amended by the Millington Arbela District Library Board: May 1, 2006

Privacy Policy

Whereas Public Act 442 of 1976 section 15.243 Freedom of Information Act allows exemptions from disclosure, it shall be the policy of the Millington Township Library to not disclose, but not be limited to the following personal information about their employees:

Social Security numbers

Health information

Home phone numbers and address

Freedom of Information Act (FOIA) Policy

I. PURPOSE

The Millington Arbela District Library (“Library”) adopts the public policy set forth in the Michigan Freedom of Information Act, 1976 PA 442 (“FOIA”), that all persons, except those persons incarcerated in state, county, or federal correctional facilities, are entitled to full and complete information regarding the affairs of government and the official acts of those who represent them as public officials and public employees, consistent with the FOIA. Access to information is important so that people may fully participate in the democratic process. These Procedures and Guidelines are enacted in compliance with the requirements set forth in Section 4(4) of the FOIA.

II. FOIA COORDINATOR

The Library Director shall be the FOIA Coordinator. The FOIA Coordinator will respond to requests in accordance with the FOIA. An employee of the Library who receives a request for a public record must promptly forward that request to the FOIA Coordinator. The FOIA Coordinator is responsible for accepting, processing and approving a denial of a request and signing the written notice of denial. The FOIA Coordinator may designate another individual to act on his or her behalf in accepting and processing requests for the Library’s public records, and in approving a denial.

III. REQUEST REQUIRED

A. *Requester; Public Record*

An individual, corporation, limited liability company, partnership, firm, organization, association, governmental entity, or other legal entity, except those persons incarcerated in state, county or federal correctional facilities, may request public records from the Library. “Public Record” has the meaning as defined in Section 2(e) of the FOIA.

B. *Verbal Requests*

The Library may, but is not required to, provide public records in response to a verbal request, unless such verbal request is for information that the Library believes is available on its website. In such case, an employee, where practicable and to the best of his or her knowledge, shall inform the requester about the pertinent website where the information is available.

C. *Written Requests*

Except as provided in Section III.B above, a person desiring to inspect, copy or receive a copy of a public record shall make a written request for the public record to the Library. A request can be made through a letter, in person, or sent by electronic transmission.

a. *Where to Send the Request*

Whenever possible, requests for public records should be directed to the following recipients so that the information can reach the FOIA Coordinator:

- i. By mail or in person: Millington Arbela District Library Attn: FOIA Coordinator
Address: 8530 Depot Street, Millington, MI 48746
- ii. By email: director@millingtonlibrary.info

b. *Sufficient Description*

Requests in writing must identify the public record sufficiently to allow the Library to find the requested record. If not, the request may be denied on that basis. Requestor Contact

Information Required. A request from a person must include the following (unless the request is from an individual who qualifies as indigent under Section 4(2)(a) of the FOIA):

- i. the requesting person's complete name, address, and contact information, and
- ii. if the request is made by a person other than an individual, the complete name, address, and contact information of the person's agent who is an individual. An address must be written in compliance with United States Postal Service addressing standards. Contact information must include a valid telephone number or electronic mail address.

D. Electronic Transmissions

For requests sent by electronic transmission, the following shall apply:

- a. Electronic Transmissions. A written request made by facsimile, electronic mail, or other electronic transmission is not received by the Library's FOIA coordinator until 1 business day after the electronic transmission is made.
- b. Spam or Junk Mail Folder. If a written request is sent by electronic mail and delivered to the Library's spam or junk mail folder, the request is not received until 1 day after the Library first becomes aware of the written request. The Library shall note in its records both the time a written request is delivered to its spam or junk mail folder and the time the Library first becomes aware of that request. The FOIA Coordinator shall be responsible for routinely monitoring the spam and junk mail folders in order to determine whether they contain any FOIA requests.

E. Specify Format

The requestor may specify whether he or she would like to inspect, receive paper copies, or receive the public records on nonpaper physical media. The Library is only required to comply with the request for specified nonpaper physical media if it has the technological capability necessary to provide the public records on the requested nonpaper physical media in the particular instance.

F. Subscription

A person has a right to subscribe to future issuances of public records that are created, issued, or disseminated on a regular basis. A subscription shall be valid for up to 6 months, at the request of the subscriber, and shall be renewable.

IV. PROCEDURES FOR RESPONDING TO WRITTEN FOIA REQUESTS

A. Response

Unless otherwise agreed to in writing by the person making the request, the Library shall respond to a request within 5 business days after it receives the request by:

- a. Granting the request (which would include notifying the requestor that all or a portion of the public records requested are available on the website, if applicable);
- b. Issuing a written notice to the requesting person denying the request;
- c. Granting the request in part and issuing a written notice to the requesting person denying the request in part (which would include notifying the requestor that all or a portion of the public records requested are available on the website if applicable); or
- d. Issuing a notice extending for not more than 10 business days the period during which the Library shall respond to the request. The Library's written response shall be considered the final determination regarding the FOIA request.

B. Understanding the Library's Response

The Library has an obligation to respond as required under the FOIA. If the Library grants a written request in full, the requestor will receive a notice indicating that it has been granted. However, if the request is denied or denied in part, the Library shall provide the following information:

- a. Pursuant to Section 13 of the FOIA, the Library may exempt certain documents from disclosure. The FOIA Coordinator will review the request to determine if any exemptions apply. The FOIA Coordinator may request assistance from the Library's Attorney regarding the application of exemptions. If exempt, the Library shall provide an explanation of the basis under this act or other statute for the determination that the public record, or portion of that public record, is exempt from disclosure, if that is the reason for denying all or a portion of the request.
- b. A certificate that the public record does not exist under the name given by the requestor or by another name reasonably known to the Library, if that is the reason for denying the request or a portion of the request. The denial letter may indicate that the letter serves as the certificate as required by the FOIA.
- c. A description of a public record or information on a public record that is separated or deleted pursuant to Section 14 of the FOIA, if a separation or deletion is made.
- d. A full explanation of the requesting person's right to do either of the following: a. Submit to the Library Board a written appeal that specifically states the word "appeal" and identifies the reason or reasons for reversal of the disclosure denial; or b. Seek judicial review of the denial under Section 10 of the FOIA.
- e. Notice of the right to receive attorneys' fees and damages as provided in Section 10 of the FOIA, MCL 15.240, if, after judicial review, the court determines that the Library has not complied and orders disclosure of all or a portion of a public record.

C. No Obligation to Create Records

The FOIA does not require the Library to make a compilation, summary, or report of information. Further, the Library is not required to create a new public record in order to respond to a request.

D. Documents Available on Website

If the FOIA Coordinator knows or has reason to know that all or a portion of the requested information is available on its website, the Library shall notify the requestor in its written response. The written response, to the degree practicable in the specific instance, shall include a specific webpage address where the requested information is available.

If all or a portion of the requested records are available on the website and the Library has included the website address in its written response but the requestor wants the public records in a paper format or other nonpaper physical media, the Library shall provide the public records in the specified format. On the detailed itemization, the Library shall separate the requested public records that are available on its website from those that are not available on the website and shall inform the requester of the additional charge to receive copies of the public records that are available on its website.

V. FEES

The Library may charge a fee for a public record search, for the necessary copying of a public record for inspection, or for providing a copy of a public record because it has been established, made publicly available, and follows these Procedures and Guidelines and the FOIA. The fee shall be limited to actual mailing costs and to the actual incremental cost of duplication or publication including labor; the cost of search, examination and review; and the deletion and separation of exempt information from non-exempt information as set forth more fully in these Procedures and Guidelines. The FOIA Coordinator shall provide a detailed itemization of costs on a standard form,

as required under Section 4(4) of the FOIA (“Detailed Itemization”). The total fee shall not exceed the sum of the following components:

A. Labor Costs:

a. Searching for, Locating and Examining

- i. The Library may charge for searching for, locating and examining public records in conjunction with receiving and fulfilling a granted written request.
- ii. The Library shall not charge more than the hourly wage of its lowest-paid employee capable of searching for, locating, and examining the public records in the particular instance regardless of whether that person is available or who actually performs the labor.
- iii. These labor costs shall be estimated and charged in increments of 15 minutes, with all partial time increments rounded down.

b. Separating and Deleting Exempt from Non-Exempt

For services performed by an employee of the Library, the Library shall not charge more than the hourly wage of its lowest-paid employee capable of separating and deleting exempt information from non-exempt information in the particular instance, regardless of whether that person is available or who actually performs the labor. All references in these Procedures and Guidelines to separating and deleting exempt information from non-exempt information shall refer to the separation and deletion requirements set forth in Section 14 of the FOIA, MCL 15.244.

- i. If the Library does not employ a person capable of separating and deleting exempt information from non-exempt information in the particular instance, it may treat necessary contracted labor costs used for the separating and deleting of exempt information from non-exempt information in the same manner as employee labor costs when calculating charges under this subdivision if all of the following occur:
 - 1. The Library’s FOIA Coordinator determines on a case-by case basis that the Library does not employ a person capable of separating and deleting exempt information from non-exempt information.
 - 2. The Library clearly notes the name of the contracted person or firm on the Detailed Itemization.
 - 3. Total labor costs calculated for contracted labor costs shall not exceed an amount equal to 6 times the state minimum hourly wage rate.
 - ii. These labor costs shall be estimated and charged in increments of 15 minutes, with all partial time increments rounded down.
 - iii. The Library shall not charge for labor directly associated with redaction if it 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.
 - iv. If the Library directly or indirectly administers or maintains an official internet presence, any public records available to the general public on that internet site at the time the request is made are exempt from this labor charge.
- c. Duplication or Publication Labor Charges
- The Library may charge labor costs for duplication and publication, including making paper copies, making digital copies, or transferring digital public records to be given to the requestor on nonpaper physical media or through the internet or other electronic means as stipulated by the requestor.
- i. The Library shall not charge more than the hourly wage of its lowest-paid employee capable of necessary duplication or publication in the particular instance, regardless of whether that person is available or who actually performs the labor.

- ii. Labor costs shall be estimated and charged in increments of one (1) minute, with all partial time increments rounded down.
 - d. Fringe Benefit Costs

The Library may also 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 used to account for benefits in the Detailed Itemization. Subject to the 50% limitation, the Library shall not charge more than the actual cost of fringe benefits, and overtime wages shall not be used in calculating the cost of fringe benefits. If all or a portion of the requested records are available on the website and the Library has included the website address in its written response but the requestor wants the public records in a paper format or other nonpaper physical media, the Library shall provide the public records in the specified format but may use a fringe benefit multiplier greater than the 50% limitation, not to exceed the actual costs of providing the information in the specified format.

 - e. Overtime Wages.

Overtime wages shall not be included in the calculation of labor costs unless overtime is specifically stipulated by the requestor and clearly noted on the Detailed Itemization.
 - f. Itemization

All labor fee components shall be itemized using both the hourly wage and the number of hours charged on the Detailed Itemization.
 - g. Unreasonably High Costs

The labor fee shall not be charged for

 - i. searching for, locating and examining of public records, or
 - ii. the cost of the deletion and separation of exempt information from non-exempt information, unless failure to charge a fee would result in unreasonably high costs to the Library because of the nature of the request in the particular instance, and the Library specifically identifies the nature of these unreasonably high costs. The FOIA Coordinator has authority to determine when the costs are unreasonably high in a particular instance, including, but not limited to, instances when the costs would be excessive and beyond the normal or usual amounts for 8 responding to a request. In doing so, the FOIA Coordinator may take into account considerations such as the volume and complexity of the FOIA request as well as the Library's particular fiscal condition at the time of the request or any other conditions authorized by law.
- B. Other Costs
 - a. Nonpaper Physical Media

Costs for providing records on nonpaper physical media.

 - i. The requestor may stipulate that the public records be provided on nonpaper physical media, electronically mailed, or otherwise electronically provided to him or her in lieu of paper copies. The Library is not required to provide the documents on nonpaper physical media if it lacks the technological capability necessary to provide records on the requested particular nonpaper physical media.
 - ii. For public records provided to the requestor on nonpaper physical media, the Library may charge the actual and most reasonably economical cost of the computer discs, computer tapes, or other digital or similar media. The Library may use (but is not required to) a computer disc, thumb drive or other nonphysical media provided by the requestor but only if it is provided in its original packaging. Because the safety and security of the Library's computers and network is of important public interest, the Library may take

that security interest into account when determining the means of providing the documents on nonpaper physical media.

b. Costs for Providing Paper Copies

- i. For paper copies of public records provided to the requestor, the Library may charge the actual total incremental cost of necessary duplication or publication, not including labor.
- ii. The cost of paper copies shall be calculated as a total cost per sheet of paper and shall be itemized and noted in a manner that expresses both the cost per sheet and the number of sheets provided.
- iii. The fee shall not exceed 15 cents per sheet of paper for copies of public records made on 8½ by 11 inch paper or 8½ by 14 inch paper. For all other paper sizes, the Library may charge the actual total incremental cost of duplication or publication, not including labor.
- iv. 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.

c. Mailing Costs

The Library shall charge the actual cost of mailing, if any, for sending the public records in a reasonably economical and justifiable manner.

- i. The Library shall not charge more for expedited shipping or insurance unless specifically stipulated by the requestor, but may otherwise charge for the least expensive form of postal delivery confirmation when mailing public records.

C. Statutory Fees

The fees set forth in this Section V do not apply to public records prepared under an act or statute specifically authorizing the sale of those public records to the public, or if the amount of the fee for providing a copy of the public record is otherwise specifically provided by an act or statute.

D. Fees Paid Before Providing Documents

The Library shall require that all fees be paid in full before providing records in response to granted or granted in part written requests.

VI. DEPOSIT

A. Deposit

In either the Library's initial response or subsequent response as described under Section 5(2)(d), the Library may require a good-faith deposit before providing the public records to the requestor if the entire fee estimate or charge authorized the FOIA exceeds \$50.00, based on a good-faith calculation of the total. The deposit shall not exceed ½ of the total estimated fee, and the Library's request for a deposit shall be included in the Detailed Itemization. The response shall also contain a best efforts estimate by the Library regarding the time frame it will take the Library to comply with the law in providing the public records to the requestor. The time frame estimate is non binding upon the Library, but the Library shall provide the estimate in good faith and strive to be reasonably accurate and to provide the public records in a manner based on this state's public policy under Section 1 and the nature of the request in the particular instance. If the Library does not respond in a timely manner as required by the FOIA, it is not relieved from its requirements to provide proper fee calculations and time frame estimates in any tardy responses. Providing an estimated time frame does not relieve the Library from any of the other requirements of this act.

B. Increased Deposit For Prior Unpaid Requests

After the Library has granted and fulfilled a written request from an individual under this act, if the Library has not been 10 paid in full the total amount for the copies of public records that the Library made available to the individual as a result of that written request, the Library may require a deposit of up to 100% of the estimated fee before it begins a full public record search for any subsequent written request from that individual if all of the following apply:

- a. The final fee for the prior written request was not more than 105% of the estimated fee.
- b. The public records made available contained the information being sought in the prior written request and are still in the Library's possession.
- c. The public records were made available to the individual, subject to payment, within the time frame estimate described in Section 4(7) of the FOIA.
- d. Ninety days have passed since the Library notified the individual in writing that the public records were available for pick up or mailing.
- e. The individual is unable to show proof of prior payment to the Library.
- f. The Library calculates a Detailed Itemization that is the basis for the current written request's increased estimated fee deposit.

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

- i. The individual is able to show proof of prior payment in full to the Library;
- ii. The Library is subsequently paid in full for the applicable prior written request; or
- iii. Three hundred sixty-five days have passed since the individual made the written request for which full payment was not remitted to the Library.

C. Payment of Deposit; Abandonment of Request

If a deposit that is required under Subsection 4(8) or 4(11) of the FOIA (as described in Subsections VI.A and B above) is not received by the Library within 45 days from receipt by the requesting person of the notice that a deposit is required, and if the requesting person has not filed an appeal of the deposit amount, the request shall be considered abandoned by the requesting person and the public body is no longer required to fulfill the request. This notice of a deposit requirement is considered received 3 days after it is sent, regardless of the means of transmission. Notice of a deposit requirement will include notice of the date by which the deposit must be received, which date is 48 days after the date the notice is sent.

VII. WAIVER OR REDUCTION OF FEES

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

a. Indigency

An individual who is entitled to information under this act and who submits an affidavit stating that the individual is indigent and receiving specific public assistance or, if not receiving public assistance, stating facts showing inability to pay the cost because of indigency.

- i. If the requestor is eligible for a requested discount, the Library shall fully note the discount on the Detailed Itemization.
- ii. If a requestor is ineligible for the discount, the Library shall inform the requester specifically of the reason for ineligibility in the Library's written response. An individual is ineligible for this fee reduction if any of the following apply:

1. The individual has previously received discounted copies of public records from the Library twice during that calendar year.
2. 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, as verified by an affidavit executed by the requestor.

b. Certain Non-Profit Organizations

A non-profit organization formally designated by the state 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 meets all of the following requirements:

- i. Is made directly on behalf of the organization or its clients.
- ii. 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.
- iii. Is accompanied by documentation of its designation by the state, if requested by the Library.

B. Public Interest Reduction or Waiver

The FOIA Coordinator may reduce or waive the imposition of fees if the FOIA Coordinator determines 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.

C. Reduction for Late Responses

If the Library does not respond to a written request in a timely manner as required by the FOIA, the Library shall do the following:

- a. Reduce the charges for labor costs by 5% for each day the Library exceeds the time permitted, with a maximum 50% reduction, if either of the following applies:
 - i. The late response was willful and intentional.
 - ii. The written request:
 1. 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
 2. 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 for this act, on the front of an envelope, or in the subject line of an electronic mail, letter, or facsimile cover page.
- b. If a charge reduction is required, the Library shall fully note the charge reduction on the Detailed Itemization.

VIII. INSPECTION

Upon request, the Library must furnish a requesting person a reasonable opportunity for inspection and examination of its public records, and must furnish reasonable facilities for making memoranda or abstracts from its public records during the usual business hours. Pursuant to Section 4(1) of the FOIA, the Library may charge a fee for the public record search, for the necessary copying of a public record for inspection or for providing a copy of the public record after inspection. The FOIA permits the Library to make reasonable rules necessary to protect its public records and to prevent excessive and unreasonable interference with the discharge of its functions. The Library must protect public records from loss, unauthorized alteration, mutilation, or destruction. As such, the

Library authorizes the FOIA Coordinator to determine whether in a particular circumstance an employee or agent of the Library must be present at any inspection of documents to protect the public records, and in such cases may assess charges as appropriate under law.

IX. CERTIFIED COPIES

The Library must, upon written request, furnish a requesting person a certified copy of the public record disclosed in whole or in part by the Library.

X. APPEALS

A. Appeal of a Final Determination to Deny All or a Portion of the Request.

a. Submit an Appeal

If a requester desires to appeal all or part of a final determination to deny a request, the requestor must submit to the Millington Arbela District Library Board (“Library Board”) a written appeal that specifically states the word “appeal” and identifies the reason or reasons for reversal of the denial.

b. Receipt of Appeal

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.

c. Response to Appeal

Within 10 business days after receiving a written appeal, the Library Board shall do 1 of the following:

- i. Reverse the disclosure denial.
- ii. Issue a written notice to the requesting person upholding the disclosure denial.
- iii. Reverse the disclosure denial in part and issue a written notice to the requesting person upholding the disclosure denial in part.
- iv. Under unusual circumstances, issue a notice extending for not more than 10 business days the period during which the Library Board shall respond to the written appeal. The Library Board shall not issue more than 1 notice of extension for a particular written appeal.

B. Appeals of Fees (Including Deposits).

a. Submit an Appeal

If the Library requires a fee that exceeds the amount permitted under these Procedures and Guidelines or Section 4 of the FOIA, the requesting person may submit to the Library Board a written appeal for a fee reduction that specifically states the word “appeal” and identifies how the required fee exceeds the amount permitted under these Procedures and Guidelines or Section 4 of the FOIA.

b. Receipt of Appeal

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.

c. Response of Appeal

Within 10 business days after receiving a written appeal, the Library Board shall do 1 of the following:

- i. Waive the fee.
- ii. Reduce the fee and issue a written determination to the requesting person indicating the specific basis under Section 4 of the FOIA 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 its publicly available Procedures and Guidelines and Section 4 of the FOIA.

- iii. Uphold the fee and issue a written determination indicating the specific basis under Section 4 of the FOIA 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 and Guidelines and Section 4 of the FOIA.
- iv. 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.

XI. CIVIL ACTION

A. Civil Action for Non-Disclosure or Denial of Public Records.

a. Civil Action After Appeal

If the Library Board fails to respond to a written appeal or if the Library Board upholds all or a portion of the disclosure denial that is the subject of the written appeal, the requesting person may seek judicial review of the nondisclosure by commencing a civil action within 180 days after the Library's final determination to deny a request.

b. Civil Action Directly After Denial

A requester may also commence a civil action in the circuit court to compel the Library's disclosure of the public records within 180 days after the Library's final determination to deny a request. The requestor is not required to appeal the denial to the Library Board before commencing the civil action.

c. Remedies; Fines

If the court determines a public record is not exempt from disclosure, it shall order the Library to cease withholding or to produce all or a portion of a public record wrongfully withheld. If the person prevails, the court shall award reasonable attorneys' fees, costs, and disbursements. If the person or Library prevails in part, the court may, in its discretion, award all or an appropriate portion of reasonable attorneys' fees, costs, and disbursements. If the court determines that the Library has arbitrarily and capriciously violated this act by refusal or delay in disclosing or providing copies of a public record, the court shall order the Library to pay a civil fine of \$1,000.00 and shall award, in addition to any actual or compensatory damages, punitive damages in the amount of \$1,000.00.

B. Civil Action Regarding Fees

a. Civil Action After Appeal

A requestor may commence a civil action in the circuit court for a fee reduction if the Library

- i. failed to respond to a written appeal or
- ii. made a determination on a written appeal.

A requester must submit an appeal to the Library Board for a fee reduction before commencing a civil action. If a civil action is commenced against the Library, 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. This action must be filed within 45 days after receiving notice of the determination of an appeal to the Library Board.

b. Remedies; Fines

If the requesting person prevails by receiving a reduction of 50% or more of the total fee, the court may, in its discretion, award all or an appropriate portion of reasonable attorneys' fees,

costs, and disbursements. If the court determines the Library has arbitrarily and capriciously violated this act by charging an excessive fee, the court shall order the Library to pay a civil fine of \$500.00, which shall be deposited in the general fund of the state treasury. The court may also award, in addition to any actual or compensatory damages, punitive damages in the amount of \$500.00 to the person seeking the fee reduction.

XII. FOIA RECORD RETENTION

The FOIA Coordinator must keep a copy of all written requests and documents sent in response to the request for public records on file for no less than 1 year, unless a longer retention time has been specified in a record retention policy applicable to the Library.

XIII. PUBLICATION AND NOTIFICATION OF PROCEDURE AND GUIDELINES

Because the Library maintains a website, these Procedures and Guidelines and the summary shall be posted and maintained on the website. The Library shall make these Procedures and Guidelines and summary publicly available by providing free copies both in the response to a written request and upon request by visitors at the Library. However, the Library may include the website link instead of providing paper copies in its response to a written request.

XIV. SEVERABILITY; ENFORCEABILITY

If any clause, provision or section of these Procedures and Guidelines shall be ruled invalid or unenforceable by any court of competent jurisdiction, the invalidity or unenforceability of such clause, provision or section shall not affect any of the remaining clauses, provisions, or sections. If any of the Procedures and Guidelines is determined by the FOIA Coordinator to be in conflict with the FOIA or other law after adoption, the FOIA Coordinator has the authority to process FOIA requests in conformance with the FOIA and shall seek to amend these Procedures and Guidelines as soon as possible.

XV. EFFECTIVE DATE

These Procedures and Guidelines shall become effective upon approval.

Approved May 6th, 2024