

FERNDALE AREA DISTRICT LIBRARY



LIBRARY BOARD

Bylaws
Code of Ethics
Policies & Procedures

(Effective November 28, 2015; Revised September 16, 2021)

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— Part One —

BYLAWS

I. NAME, AUTHORITY AND PURPOSE

The name of this body shall be the **Ferndale Area District Library Board (“Board”)**. The Board’s authority is established and defined under the District Library Establishment Act, 1989 PA 24, MCL 397.171, et seq. The Library Board is officially responsible for setting policy for the Library, overseeing the budget and finances of the Library and the operation of the Library. The Board has adopted a mission statement and has implemented long- and short-range plans for Library services and administration.

II. BOARD AND ELECTION

1. Permanent Elected Board. The District Library shall be governed by a Board which shall consist of seven (7) members to be elected at large from the Library District. Board Members shall be elected on nonpartisan ballots.

A. *First Election*. The first election of the Library Board Members (“Board Members”) shall take place at the same time as the first regularly scheduled election of School District Board Members occurring on or after the thirteenth Monday following the appointment of the first member of the Provisional Library Board as set forth in Paragraph A.2 below.

B. *Terms*. The four (4) persons receiving the most votes at the first election of Board Members shall have four (4) year terms, and the three (3) remaining persons elected to the Board shall have two (2) year terms. After the first election, Board Members shall be elected at general elections for four (4) years.

C. *Beginning of Terms*. The term of office of the Board Members shall begin at the same time as the term of a School District Board Member elected at the same election.

2. Provisional Library Board. From the Effective Date of the Agreement, December 31, 2014, until the permanent Library Board is elected and qualified, the Provisional Library Board shall consist of seven (7) members appointed by the City.

3. Each Board Member shall have one vote on any matter under consideration.

4 Upon election or appointment, new Board Members shall be provided background documents, such as:

- The Board's bylaws and policies;
- Information on the Michigan Open Meetings Act;
- The Board's committee structure and purpose statements;
- The Michigan Public Library Trustee Manual;
- The previous twelve (12) months of approved meeting minutes;
- The Board's contact list;
- The current library budget

New Board Members shall also be given a tour of the library, and introduced to the staff. This provision may be fulfilled by the Board President or Library Director (hereafter "Director"), or both in combination. Documents may be in paper or electronic form, or both. This provision shall also apply to newly-appointed Board Members.

III. POWERS AND DUTIES OF THE LIBRARY BOARD OF DIRECTORS

1 **Authority.** The Library Board shall have all the powers enumerated in Section 12 of the Act, MCL 397.182, all the powers enumerated in the District Library Financing Act, MCL 397.281, *et seq*, and any other powers granted by law, including but not limited to the following:

- A. Establish, maintain, and operate a public library for the District.
- B. Appoint and remove officers from among its members.
- C. Appoint and remove a librarian and necessary assistants and fix their compensation.
- D. Purchase, sell, convey, lease, or otherwise acquire or dispose of real or personal property, including, but not limited to, land contracts and installment purchase contracts.
- E. Erect buildings.
- F. Supervise and control District Library property.
- G. Enter into a contract to receive library-related service from or give library-related service to a library or a municipality within or without the District.
- H. Adopt bylaws and regulations, not inconsistent with this Act, governing the Library Board and the District Library.
- I. Propose and levy upon approval of the electors as provided in this Act a tax for support of the District Library.
- J. Borrow money pursuant to the District Library Financing Act, 1988 PA 265, MCL 397.281 to 397.290.
- K. Issue bonds pursuant to the District Library Financing Act, 1988 PA 265, MCL 397.281 to 397.290.

L. Accept gifts and grants for the District Library.

M. Do any other thing necessary for conducting the District Library service, the cost of which shall be charged against the District Library fund.

2. Board Members shall abide by the Code of Ethics for the Ferndale Library Board, which was adopted by the Board on April 30, 2009 and is attached hereto.

3. **Expenses and Compensation.** The District Library may reimburse Board Members for necessary expenses that Board Members incur in the performance of their duties and may compensate Library Board members pursuant to Section 12(2) of the Act, MCL 397.182.

IV. OFFICERS OF THE FERNDALE PUBLIC LIBRARY BOARD

1. Organization

A. Officers of the Board shall be President, Vice President, Secretary, and Treasurer.

B. Officers shall be elected at the regular January annual meeting and shall serve for a term of one year.

C. Any Board Member may place the name of another Board Member in nomination for an officer of the Board. Each office shall be elected separately by roll call vote, and by a majority vote of those trustees present.

D. The President, Vice President, Secretary, or Treasurer may be removed from their office for misfeasance, malfeasance, or nonfeasance, with a majority vote of the Board.

2. President

A. Presides at all meetings of the Board.

B. Is responsible for preparation of the agenda for Board meetings with input from Board Members and the Director.

C. Appoints all committee chairs.

D. Authorizes all calls for special meetings.

E. Signs in the name of the Ferndale Area District Library, all contracts and legal documents specifically authorized by the Board except those for which the Director or Treasurer has been given authority to sign.

F. Together with the Director, approves invoices and co-signs checks if the Treasurer is not available to do so.

3. Vice-President

A. In the absence of the President, the Vice-President shall perform the duties of the President. In the case of the resignation, disability, or death of the

President, the Vice-President shall assume the office for the remainder of the President's unexpired term.

4 Secretary

A. The secretary is responsible for recording the proceedings of each meeting as official minutes. The minutes shall be considered at the next meeting, corrected if necessary and approved by the Board. The minutes shall include:

- i. Nature of meeting, regular or special; time, place, persons present or absent; and approval of minutes of previous meetings.
- ii. Complete record of all official action taken by the Board and all motions as stated whether adopted or rejected. Only the information recorded is considered official.
- iii. Record of adjournment.

B. Acts as President in the absence of the President and Vice-President and may appoint a temporary secretary to take the minutes.

C. Signs the minutes of each meeting.

D. Issues and posts notices of all regular meetings and on the authorization of the President, of all special meetings.

E. Drafts official letters and other correspondence as requested by the Board.

F. Distributes the minutes and meeting agendas to the Board in accordance with Section V.

G. Keeps files and records of all Board committees and files of all correspondence, contracts and other documents generated and received in the regular course of business.

H. Any of the above responsibilities, with the exception of "B" and "C" may be assigned to the Director at the Board's discretion.

5 Treasurer

A. Receives all funds such as public appropriations, grants, bequests, and gifts as provided by law.

B. Makes disbursements from Library funds on approval of the Board, subject to state and local laws and regulations.

C. Maintains accurate records of all money received and disbursed, ready for examination since all public funds are subject to audit at any time. Makes a report at each Board meeting and other reports as required.

D. Acts as President in the absence of the President, Vice-President, and Secretary.

E. Together with the Director, approves invoices and signs checks.

F. Together with the Director, manages Library investments.

G. Duties described in A through C may be assigned by the Board to the Director, as permitted by relevant contracts and ordinances.

V. BOARD VACANCIES

1. **Vacancy.** The office of a Board Member becomes vacant when the incumbent dies, resigns, is convicted of a felony, is removed from office by the governor pursuant to section 10 of Article V of the State Constitution of 1963, or ceases to be a resident of the district. In addition, the office of an appointed provisional Library Board member becomes vacant when the incumbent ceases to be a resident of the Participating Municipality that appointed the incumbent.

A. Provisional Board Vacancy. In the event of a vacancy in the appointed provisional board, the City shall appoint a replacement therefore within two (2) months of the vacancy who shall serve until the end of the term of the member being replaced. In the event no such replacement shall have been appointed by the City at the end of the two-month period, the Board shall have the power to appoint such replacement, whose term shall extend to the end of the term of the Board Member being replaced and who shall be a resident of the City.

B. Elected Board Vacancy. In the event that a vacancy occurs in the elected Library Board, the vacancy shall be filled until the expiration of the vacating Board member's term by appointment of the majority of the remaining board members. If the vacancy occurs 140 or more days before the regularly scheduled election of Board Members that follows the beginning of the term of the Board Member vacating office and that term is four (4) years, the following apply: (1) the vacancy shall be filled by appointment by majority vote of the remaining Board Members only until the next date on which the term of any Board Member expires, and (2) the Board Member shall be elected at the regularly scheduled election of Board Members next following the occurrence of the vacancy to fill the vacancy for the remainder of the term of the Board Member vacating office.

C. If no suitable candidates for filling the vacant seat are found at the initial call for applicants, the seat shall remain empty. The call for applicants shall stand and remain posted on the Library's website and/or other media. Any subsequent applications that are received will be considered at the next regular Board meeting, at which the Board shall determine if the application warrants an interview. If an interview is desired, the date shall be set and may occur at a special meeting. Quorums of the Board shall be reduced by the number of vacancies.

2. **Removal.** In accordance with Section 8(2) of the Act, MCL 397.178(2), the Governor of the State of Michigan shall have the power to remove a member of the Library Board for cause, pursuant to the provisions of Section 10 of Article V of the State Constitution of 1963, as amended.

VI. MEETINGS AND QUORUM REQUIREMENTS

1. All meetings of the Board shall be conducted under the requirements of the 1976 PA 267, the "Open Meetings Act."

2. The Board shall meet at a regularly scheduled date and time each month at the Ferndale Area District Library. A meeting notice shall be posted at the Library, on the Library website and at Ferndale City Hall (via e-mail to the Ferndale City Clerk) no less than two (2) days prior to each meeting.

3. A quorum for the transaction of business shall be a majority of the Board.

4. Special meetings may be called by the President. However, upon the written request of four Board Members, the President must schedule a special meeting. In the case of a special meeting, the President must notify Board Members of the meeting's purpose, time and location at least 24 hours prior to the meeting, and the meeting notice and agenda shall be posted at the Library at least 24 hours prior to the meeting.

5. Agendas

A. For meetings of the Board, the agenda shall include a roll call, approval of minutes, announcements from individual members, and allow for public comment.

B. A consent agenda, for routine business items such as approval of minutes and receiving reports from the Director, committees, and Friends of the Ferndale Library, may be included. Approval of consent agenda items shall be dispensed with in a single vote by the Board. Any item on the consent agenda may be moved into the regular agenda by anyone attending the meeting, including the public.

C. Public Comment shall follow the Public Comment Rules and Procedures found in Part Three Board Policies and Procedures, Policy 21.

VII. COMMITTEES

1. The Board may create committees to assist and advise the board in the conduct of its business. Unless otherwise specified by the Board, committees shall be advisory only and shall not replace the authority of the Board to vote on final decisions.

2. Each committee shall include at least one (1) Board Member, who shall act as Committee Chairperson and preside at committee meetings. Committees may include up to two other trustees as well as members of the public.

3. Committee Chairpersons shall be appointed by the President.

4. Members of the public shall not serve on the Personnel Committee.

5. Committee Chairs shall nominate the public members of their committees at a regular meeting of the board of trustees. The board shall approve the appointments with a majority vote. Public members shall serve for a period of one year from their appointment, at which point they may be re-nominated and re-appointed. Public committee members need not be residents of Ferndale. Public committee members are strongly encouraged to become members of the Friends of the Ferndale Library.

VIII. DIRECTOR

1. The Director shall be selected and appointed by the Board to serve as chief executive officer in the management of the library and shall be directly responsible to the Board.

2. The Director shall be in charge of the administration of the library within the framework of the Board's bylaws, policies and procedures and by other laws, rules, regulations and ethics applicable to Library Directors.

3. The Director, together with the Board Treasurer, approves invoices and co-signs checks.

4. The Director and/or his or her designee shall attend all Board meetings and may serve on Board committees.

5. The Director shall submit monthly reports to the Board.

IX. AMENDMENTS

The bylaws may be amended or revised at any regular meeting of the Board by a majority vote of all Board Members, provided all Board Members of the Board are notified that a bylaw change will be voted upon at the specified meeting, and are given copies of the proposed change at least one (1) week prior to the meeting.

X. RESIDENCY REQUIREMENT

A Board Member must be a resident of the Library District. If any Board Member moves out of the District, he or she immediately relinquishes his or her seat.

XI. LIBRARY EMPLOYEES or FORMER EMPLOYEES

1. Employees of the library, or members of an employee's immediate family (spouse or domestic partner, parents, children, or siblings) may not serve on the Board.

2. An employee or his/her immediate family members shall not be appointed to the Board until two (2) years after leaving the employ of the Library.

3. No former library employee, whether appointed by the Board to fill a vacancy or elected by the voters, may serve on the personnel committee.

XII. AGE REQUIREMENT

A person must be of voting age, or eighteen (18) years old, to be eligible to serve on the board.

Revised on June 29, 2015

— Part Two —

CODE of ETHICS

Library Board Members shall:

I. Uphold the bylaws of the Ferndale Area District Library Board, the laws of the State of Michigan governing library boards, the election laws of the State of Michigan governing library board elections and any other law, rule or regulation governing the conduct and duties of library trustees.

II. Represent all citizens in an equal, honest and ethical manner and never surrender their responsibilities to or allow themselves to be compromised by special interests or partisan politics.

III. Avoid all conflicts of interest and/or the appearance of impropriety and never use their position for personal gain and/or financial benefit or for the personal gain and/or financial benefit of their family, friends or business acquaintances.

IV. Recuse themselves immediately and take no part in any board decision or action in which they have an actual conflict of interest or the appearance of impropriety.

V. Recognize that decisions concerning the library and the Board may be made only by majority vote at meetings which comply with the Michigan Open Meetings Act.

VI. Abide by the majority decisions of the Board, including those with which they personally disagree.

VII. Respect the confidentiality of privileged information or information that is lawfully required to remain confidential, including, but not limited to, information subject to attorney-client privilege and personnel matters concerning library employees.

VIII. Support the efforts of the Director and library staff in resisting censorship of library materials.

IX. Become aware of and act in compliance with laws, rules, regulations and ordinances which govern freedom of information.

X. Become aware of state and local laws, rules, regulations and ordinances governing libraries and library boards, and any amendments or changes to those laws, regulations and ordinances.

XI. Perform all of the duties and responsibilities required of trustees to the best of their ability.

Adopted on April 30, 2009

Revised on January 15, 2015

— Part Three —

BOARD POLICIES and PROCEDURES

Policy 1

EXTERNAL COMMUNICATIONS

1. The President of the Board shall be the spokesperson for the board. If the President is not available, and the matter requires immediate attention, the Vice-President may speak for the board. If neither the President or Vice President is available, and the matter requires immediate attention, the Secretary may speak for the board. This includes, but is not limited to, inquiries from the media, city officials or city employees.

2. Any written communication drafted by any member of the Board, including, but not limited to, press releases and letters, shall be sent to at least one (1) other board member for proofreading and suggested edits/revisions before being released or mailed. Once the communication is satisfactory to the drafter and the proofreader, the communication may be released or mailed, but must, at that time, be sent to all other Board Members.

Policy 2

COMMUNICATION WITH THE BOARD'S ATTORNEY

1. No communication from the Board's attorney to the Board, or any individual member of the Board, may be shared with anyone who is not a member of the board. No communications from the Board's attorney to the Board may be shared with the Director without the Board's prior approval.

2. The Director may consult with the Library Board's attorney without prior permission from the board as necessary to carry out his or her duties as Director.

Adopted on January 28, 2010

Revised on January 15, 2015

Policy 3
LIBRARY CREDIT CARD

1. **Director Responsible.** The Director shall be responsible for the Library's credit card issuance, accounting, monitoring, and retrieval and generally for overseeing compliance with the Credit Card Policy.

2. **Use of Credit Cards.** The Library credit cards shall be used only by the Director and designated cardholders only for the purchase of goods or services for the official business of the Library. Single purchases of goods or services shall be limited to an amount less than or equal to \$2,500.

This policy does not limit the applicability of chapter XXIVA or section 174, 175, 219a, or 490a of the Michigan penal code, Act No. 328 of the Public Acts of 1931, being sections 750.157m to 750.157w, 750.174, 750.175, 750.219a, and 750.490a of the Michigan Compiled Laws; section 1a of the code of criminal procedure, Act No. 175 of the Public Acts of 1927, being section 769.1a of the Michigan Compiled Laws; or any other law, or ordinance, applicable to use of a credit card, issued by a local unit, for other than official business of the local unit.

3. **Documents Retained.** The Director shall retain all documentation for all credit card purchases of goods or services, including receipts for purchased goods or services. Disputed charges shall be flagged by the Director and brought to the attention of the Board and fiscal agent.

4. **Report to the Board.** The Director shall submit, on a monthly basis, to the Library Board, or at the Board's discretion its Treasurer, documentation detailing the goods or services purchased, the cost of the goods and services, the date of purchase, and the official business for which purchased. This documentation shall include receipts or invoices for all purchased goods or services.

If no credit card receipt was obtained that described the transaction, the Director 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, the official business that required the transaction. Vouchers shall also include a statement why a credit card slip was not obtained.

5. **Custody; Lost or Stolen Card.** Each cardholder is responsible for

protection and custody of the Library credit card issued to them and shall immediately notify the Library Director, who will report to the bank if the credit card is lost or stolen.

6. Return of Card. The cardholder shall return the credit card upon the termination of his or her employment.

7. Library Budget. Credit card purchases shall be identified by budget item line item and appropriately charged against budget item lines. The Board may include in its budget and pay the balance due on any credit cards, including the annual fee and interest.

8. Internal Accounting Procedures. The Director 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 receipt, invoice 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.

9. Unauthorized Use. Unauthorized use of a credit card by the Director or any other Library employee is prohibited. The Library Board or Director shall use disciplinary measures consistent with the law for unauthorized use of the credit card, up to and including termination of employment.

10. Authorized Credit Limit. The total combined authorized credit limit of all credit cards issued by the Library shall not exceed 5% of the total budget of the local unit for the current fiscal year.

Adopted on January 28, 2010

Revised on July 26, 2012

Revised on January 15, 2015

Revised on August 20, 2015

Policy 4

PROCEDURE FOR FILLING VACANCY ON ELECTED BOARD

1. Once a Board Member's resignation has taken place and his or her seat is vacant, a press release announcing the resignation shall be issued. This may include a quote from the Board President, and from the resigned member. The press release shall include information on how interested persons may submit materials to apply to fill the vacancy, and a deadline for doing so.

2. Candidates shall submit a letter of application, which includes background, residency, their reasons for wanting to serve as a Board Member, and how they can be contacted. The letters can be by email or regular post.

3. Letters from candidates shall be acknowledged, as soon as practicable, by the Board Secretary by regular post or email. The Secretary shall at that point schedule an interview with the candidate at a date and time already agreed upon by the board, or later when the board has set a date and time for interviews. Interviews may take place at a special meeting or a regular meeting.

4. Letters from candidates shall be forwarded to Board Members by the Secretary as they come in.

5. Each interview shall be kept to less than fifteen (15) minutes, if possible. The President shall pose the following questions to each candidate:

A. Why do you want to serve on the Board?

B. What special skills, interests, and/or concerns would you bring to the Board?

C. What do you see as the biggest challenges facing the library, now and in the near future?

Each trustee shall have the chance to ask follow-up questions of the candidate(s).

6. A discussion and vote on the candidates may take place on the day of the interviews, or tabled to another meeting.

7. If there is just one candidate, and the appointment has not been tabled per #6 above, there shall be a roll call vote. Each Board Member's vote must be noted in the minutes. If there is more than one (1) candidate, voting shall be on paper ballots, and each trustee's vote recorded in the minutes. If there are more than two (2) candidates, voting shall be as follows:

A. Each trustee shall write the names of their top two (2) choices on a paper ballot, the Secretary shall collect these, and tally the votes.

B. Of the two remaining candidates, each Board Member shall then write the name of their top choice on a paper ballot, and the secretary shall tally these votes.

C. If, at any point in the voting process there is a tie, a subsequent vote shall take place in order to break it. If, after two attempts a tie remains, the President shall decide the winner.

8. A press release announcing the appointment shall be issued. It may contain quotes from the Board President and the appointee, and shall include information on the length and expiration of the appointee's term.

9. As soon as practicable, the Secretary shall forward a copy of the Board's minutes from the meeting at which the appointment took place to the Ferndale City Clerk. The newly appointed Board Member shall present themselves to the City Clerk for swearing in.

Adopted on January 28, 2010

Revised on July 26, 2012

Revised on January 15, 2015

Policy 5
VACATIONS, HOLIDAYS, PERSONAL DAYS & SICK LEAVES FOR STAFF

Superceded by employee manual adopted July 28, 2011

Policy 6

PURCHASING

This policy is intended to clarify and expand the library's protocol for the procurement of goods and services by the Library consistent with the DLEA and Michigan law.

1. **Purchases.** All purchases of goods or services more than \$5,000, or any non-routine purchases without appropriation in the current budget, shall be submitted to the Board for approval prior to purchase, except as required under Section 3, Emergency Purchases or Section 4, Specifically Authorized Purchases. The purchase request shall outline the need and provide justification for the particular goods or services. The purchase request information should include suggested vendors, quantity, specifications, shipping details and pricing.

2. **Minor Purchases.** Any purchases of goods or services equal to or less than \$5,000, when the specific appropriation has been specified and included in the current budget authorized by the Board as an approved expenditure for the fiscal year, may be completed after submittal to the Director, with a report being provided to the Board within a thirty (30) day period.

3. **Emergency Purchases.** In an emergency endangering the public peace, health, safety or property of the library, the Director or his or her designee may purchase supplies, materials, equipment or services which are deemed immediately necessary to respond to and alleviate the emergency and the Board shall be immediately notified. A full report shall be filed by the Director with the Board within a thirty (30) day period of such action.

4. **Specifically Authorized Purchases.** The Board specifically authorizes the Director to make the following purchases that may exceed \$5,000:

A. **Payments to The Library Network for shared technology services:** The Board recognizes that at times the quarterly payments due to The Library Network for shared technology services, according to a formula for shared automation, may exceed \$5,000. The Director is authorized to purchase the shared technology services that exceed \$5,000 (on a quarterly basis) provided that (1) the Board has authorized the purchase of the shared technology services generally from The Library Network and (2) the specific appropriation has been included in the current budget authorized by the

Library Board as an approved expenditure for the fiscal year.

B. Book and Subscription Services: The Board recognizes that the library receives periodic invoices for book and subscription services that may exceed \$5,000. The Director is authorized to purchase these services and pay the invoices that exceed \$5,000 provided that the appropriation has been included in the current budget authorized by the Board as an approved expenditure for the fiscal year.

5. Purchasing Agent. The Director shall act as purchasing agent of the library, unless he or she designates another officer or library employee to act as purchasing agent. Every purchase order shall be approved by the purchasing agent before being issued. The purchasing agent may adopt rules regulating requisitions and purchase orders.

6. Requisitions and Estimates. All departments of the library shall file with the purchasing agent detailed estimates of their requirements in supplies, materials, equipment and contractual services in such manner, at such times, and for such future periods as the Director shall prescribe. The requirement for preparing estimates shall not prohibit any department from filing with the purchasing agent at any time a requisition for any supplies, materials, equipment or contractual services the need for which was not foreseen when the detailed estimates were filed.

7. Conflict of Interest. No employee or Board member shall participate in any purchase or procurement when such participation is considered a conflict of interest under Michigan law, the Library Board's Code of Ethics, or the American Library Association's Code of Ethics. If any Board member or employee believes there may be a conflict of interest, the Board member or employee shall notify the purchasing agent of any actual or potential conflict of interest prior to any participation or as soon as the conflict is reasonably known. The purchasing agent, upon consultation with legal counsel and/or the Board shall determine whether the employee or Board member should participate.

8. Quotes. Purchase of goods or services under \$5,000 may be made in the open market, without advertisement and without formal competitive bidding. However, to the best extent possible, any such purchase shall be based on at least three competitive quotes and the purchasing agent shall select the quote deemed most advantageous to the library.

9. 2008 Capital Construction Project. This policy shall not apply to the

purchase of goods or services involving the capital construction project for which bonds were issued in 2008 (“Project”). The Board shall provide by policy and/or agreement for a separate purchasing procedure for purchases associated with that project.

Adopted on February 25, 2010

Revised on January 15, 2015

Policy 7
DIRECTOR'S ANNUAL PERFORMANCE EVALUATION

1. At the time of the Director's employment anniversary each year, the Board's personnel committee shall prepare a preliminary performance evaluation of the Director to be presented to the Board. The personnel committee shall solicit feedback from the Board and staff if deemed necessary in the process.
2. The Board shall require the Director to perform a written self-evaluation at this time, as well.
3. The committee's preliminary evaluation shall be given to the full Board along with any recommendations for board action for consideration at the next regular board meeting or special meeting called for this purpose. The Director's self-evaluation shall be submitted with the committee's evaluation.
4. The Board shall discuss the evaluation and vote on a final version. Board review of the performance evaluation may be conducted in closed session, in accordance with the Open Meetings Act, and other applicable laws.
5. The final Director performance review shall be presented to the Director in a meeting with the personnel committee, to take place as soon as practicable after the board's vote.
6. The Director shall have until the board's next regular meeting to submit any questions or comments on the evaluation.
7. At that meeting, the Board may consider any further action related to the Director's performance.

Adopted on April 22, 2010
Revised on February 21, 2013
Revised on January 15, 2015

Policy 8
TUTION REIMBURSEMENT FOR LIBRARY EMPLOYEES

At the discretion of the Director, library employees may be reimbursed for class tuition. Reimbursement may not exceed \$2,000 per employee per calendar year. Classes must be related to the employee's work at the library, but need not be courses in library or information science. The determination as to whether the course is job related shall be made by the Director.

Adopted on April 22, 2010

Revised on January 15, 2015

Incorporated in employee manual adopted July 28, 2011

Policy 9
DIRECTOR AS HUMAN RESOURCES MANAGER

The Director is authorized to make and is responsible for all personnel decisions and actions regarding hiring, promotion, wages and benefits, terms and conditions of employment, and performance evaluations of Ferndale Area District Library employees. The Board is responsible for the hiring, promotion, wages and benefits, terms and conditions of employment and performance evaluations of the Director.

Adopted on April 22, 2010

Revised on January 15, 2015

Policy 10
RELATIONSHIP BETWEEN THE BOARD AND THE
FRIENDS OF THE FERNDALE LIBRARY

1. The Board recognizes the Friends of the Ferndale Library (FFL) as an independent group of interested parties whose purpose is to support the library through fundraising as well as event sponsorship and planning.
2. Members of the Board may not belong to the FFL's board, but individual board members are encouraged to be FFL members.
3. Use of library staff time and library resources for FFL events and initiatives will be at the sole discretion of the Director's discretion.
4. No FFL fundraising or other event may take place on library property without Board approval. This directive does not include regular FFL meetings, so long as they comply with the Board's meeting room policy.
5. No member of the FFL may make any statement or representation concerning any official library matter or Library Board matter to the press or the public. Pursuant to the Board External Communications Policy, only the President of the Board, or his or her designee may make such statements concerning the Board and only the ~~Library~~ Director may make such statements regarding the library.
6. The chairperson of the Board's Development & Fundraising Committee shall be the Board's liaison to the FFL and is encouraged to attend Friends of the Ferndale Library meetings on a regular basis.
7. The FFL is encouraged to make regular reports of its activities, either in writing or in person, to the Board.

Adopted on April 22, 2010.

Revised on January 15, 2015

Policy 11

STAFF or BOARD MEMBER INVOLVEMENT IN ELECTIONS

1. This policy shall advise Board and staff of their rights and responsibilities regarding involvement in elections.
2. The Michigan Campaign Finance Act (Public Act 388 of 1976, section 57) regulates the involvement of public bodies and public employees in elections and prohibits certain activities.
3. Board Members and library staff shall not use library resources to promote the election or defeat of any candidate or ballot measure. Resources include, but are not limited to, funds, office space, computer hardware or software, property, stationery, postage, equipment, supplies or other public resources.
4. Paid staff time may not be used to provide volunteer services on behalf of or against any candidate or ballot measure. Staff and Board Members may participate in elections on their own time, using their own resources.
5. Exceptions to this policy include the following:
 - A. Board Members or the Director may publicly express their views or endorsements, as they hold policy-making responsibilities, and may append their titles to their names when making those announcements;
 - B. Hosting candidate or ballot measure forums, debates or similar events;
 - C. The use of library meeting rooms, as governed by Policy 11.
 - D. Public access computers that are freely available to any resident or authorized user are excluded from the definition of library resources.
6. Any employee who is aware of staff violations of this policy shall report that violation to the Director.
7. Any employee who is aware of the Director violating this policy shall report the violation to the President of the Board.
8. Any Board Member who is aware of another Board Member's violation of this policy shall report the violation to the entire Board.

9. Violations knowingly made of the Campaign Finance Act carry significant fines and possible imprisonment of up to one year.

Adopted on August 3, 2010

Portions incorporated in employee manual adopted July 28, 2011

Revised on January 15, 2015

Policy 12
COMPLAINTS TO THE LIBRARY BOARD

1. Written Complaints

A. Written complaints shall include the complainant's name and address. If possible, complainants who have not included their name and address in their complaint will be asked to do so.

B. Anonymous charges of illegal activity or ethical violations will be considered on a case-by-case basis. Further information can be requested from credible complainants where it is possible to identify the complainants or where the anonymous complainant has submitted documentary evidence of the charges. Charges based on secondhand information, rumors or hearsay will not be considered. A complainant must have personal knowledge of the allegations in order for his/her charges to be addressed.

C. A letter acknowledging receipt of the written complaint shall be sent to the complainant within two days of receiving the complaint. The letter shall be written and sent by the President or his or her designee. The letter shall include an assurance that the Board will consider the complaint and shall invite the complainant to the next board meeting.

D. After considering the written complaint the Board shall send a follow-up letter explaining what, if any, action was taken in response to the complaint.

E. Written complaints about staff shall be forwarded to the ~~Library~~ Director and the complainant notified that the Director deals with all staff matters and will report to the board any action taken on the complaint.

F. Copies of all written correspondence concerning the complaint shall be kept on file.

2. Verbal Complaints

A. Complaints may be made at any regular board meeting, as part of the public comment portion of the agenda as set forth in the bylaws.

B. Verbal acknowledgment of the complaint shall be made by the President or his or her designee when the complaint is made.

C. If possible, a verbal complaint will be addressed when it is made. Otherwise, a follow-up letter will be sent to the complainant, explaining what, if any, action was taken in response to the complaint.

D. Verbal complaints about staff shall be forwarded to the Director

and the complainant notified that the Director deals with all staff matters and will report to the Board any action taken on the complaint.

E. A summary of the verbal complaint shall be placed in the meeting minutes, and copies of all written correspondence concerning the complaint shall be kept on file.

3. Invalid Complaints

A. The Board shall not consider any complaints which consist only of ad hominem attacks.

B. The Board shall not consider repetitive complaints by the same complainant, if the complaint has already been addressed.

C. The Board shall not consider complaints that are not related to the Ferndale Area District library, the Board, or its individual Board Members.

Adopted on August 26, 2010

Revised on January 15, 2015

Policy 13
STAFF GRIEVANCES AGAINST THE DIRECTOR

1. Library employees who have an unresolved grievance with the Director related to their performance, treatment or working conditions may request a meeting with the personnel committee (hereafter “committee”) of the Board. Employee concerns with broader legal or operational matters should raise those concerns using Policy 20, WHISTLEBLOWERS. Either way, the request should be in writing, with an explanation of the employee’s grievance, and a description of their attempts to resolve it with Director. The letter of request should be sent to the President, who shall forward it to the rest of the Board. The committee will then schedule a meeting with the employee(s) as soon as possible.

2. After meeting with the employee(s), the committee shall, in a timely manner, send to the Board a confidential full report, including an opinion as to whether they deem the complaint to be meritorious.

3 If the committee believes that the complaint has merit, it shall, as soon as possible, schedule an appointment to meet with the Director to discuss the grievance. It shall then give copies of the employee’s letter of complaint to the Director. As soon as possible after meeting with the Director, the committee shall send a report of the meeting and any other pertinent information to the Board.

4. The Director shall be given seven (7) calendar days after receiving the complaint to provide the Board with a written response to the grievance, and any other related questions from the Board.

5. The committee will send a report of their meeting with the Director to the Board, as soon as possible afterwards, with any recommendations for action. The committee or the Board may consider consulting the Board’s employment law attorney for advice.

6. The grievance shall be considered by the Board, at a special meeting, or the next regular meeting, to determine what action(s) shall be taken in response. These actions include, but are not limited to: dismissal of the grievance; further training for the employee(s) and/or Director; an action plan with specific goals for the employee(s) and/or Director; disciplinary action against the Director; or dismissal of the Director.

Adopted on August 3, 2010

Incorporated into Personnel Manual on July 28, 2011/Amended on June 28, 2012
Revised on January 15, 2015
Revised on September 17, 2015

Policy 14
GIFTS & SPONSORSHIPS

1. In order to encourage private support for the Ferndale Area District Library while ensuring that all gifts are appropriate to its mission, the Board of Trustees of the Ferndale Area District Library (the “Board”) has adopted these guidelines.

2. All donations must be accepted by the Board or Director.

3. All unrestricted gifts, whether donations of monies, books, periodicals, audio-visual materials or art work will be utilized at the discretion of the Director and/or Department Heads, including addition to the collection, withdrawal from the collection, sale or disposal.

4. Any restrictions on gifts, whether donations of monies, books, periodicals, or audio-visual materials, must be submitted in writing and approved by the Director or Board.

5. The Library will not assess or suggest a value for non-monetary gifts for income tax or other purposes; any letter of acknowledgment for non-monetary gifts will not contain a statement of value.

6. Gifts may serve to honor or memorialize any person or group of people. A note indicating such an honorarium or memorial will be sent to the person or persons so designated by the donor. Gift amounts will not be shared with anyone receiving such an acknowledgment.

7. Staff and Board Members shall not accept gifts of any kind from members of the public or vendors, except for plants or edible gifts (such as cookies, candy, etc.), which can be placed in the staff lounge or public area and shared by everyone. All other gifts, including tips, must be refused or returned to the sender with an explanation that acceptance of gifts is strictly against Library policy. The Library’s vendor selection process shall not take into account a vendor’s support for the Library. No vendor’s gifts to individual Staff or Board Members shall have any influence on vendor selection for any Library service, function, or material.

8. Books, Periodicals and Audiovisual Materials

A. Donations of books, periodicals, and audiovisual materials will be

individually reviewed for possible inclusion in the Library collections. Material added must meet selection guidelines, fill a need in the collection, and be in good physical condition. Items not used for the collection will be given to the Friends of the Ferndale Library for sale, or otherwise disposed of by other means.

B. Each donated item used in the collection item may be identified with the Library's designated bookplate or other appropriate label. It is not the policy of the Library to provide separate shelf space for books or other materials donated to it.

9. Sponsorships

A. The Library welcomes sponsorship of programs, projects, Library space, and events from individuals and groups including but not limited to businesses and service organizations.

B. Sponsorships must be approved by the Board or Director. In assessing the suitability of soliciting or accepting a potential sponsor, consideration is given to the public image of the sponsor, its line of business, and all of its products and services. Sponsorships are pursued if the Board determines that an association between the potential sponsor and the Library is suitable and will positively affect the public image that the Library has established in the community.

C. Public recognition of the sponsor may include: A statement of the sponsor's name and a display of its logo on the Library's promotional materials for the sponsored program or service; an announcement or short article on the Library website or similar communication media; a verbal announcement at the beginning of a program; a press release submitted to local media outlets; a plaque with the donor's name (but not logo) in the area or collection sponsored; a certificate of appreciation.

10. Donor Recognition

A. Monetary gifts and sponsorships of \$100 or more may be recognized on a Library donor recognition display at three (3) levels of giving:

\$100 – \$499

\$500 – \$999

\$1,000 – Up.

The Director and Board will determine the style, wording, and location of the display. Contributed amounts may be pledged up to five (5) years, but no recognition will be made until the first year's payment has been paid.

B. Public acknowledgment of other monetary gifts is at the discretion of

the Director and Board. All gifts will be promptly acknowledged with a thank-you letter and receipt signed by the Director. Large gifts should also be acknowledged with a phone call from a Board Member or the Director.

C. Significant in-kind or volunteer work contributions may also be recognized on the donor display, at the discretion and with the approval of the Board.

D. The Director and the Board's Development and Fundraising Committee shall devise a database for tracking donations, donors, and acknowledgements. The Board encourages the use of trusted volunteers to assist the staff in tracking and acknowledging gifts, at the Director's discretion.

11. Confidentiality

A. No member of the Library staff or Board Member shall share any details of any gift to the library without the permission of the donor.

B. Any Library staff member, Board Member, or volunteer shall consider any information retrieved from the tracking database, see 11-D above, to be confidential.

C. Details of any meetings with potential or actual donors, both those anticipated and in the past, shall be considered confidential.

D. Donors shall be made aware of signage placed on Library property that will be displayed in recognition for a gift. The donor reserves the right to determine how his/her/its name(s) will be presented. Refusal of any such acknowledgment shall be recorded in the tracking database.

Approved on August 3, 2010

Revised on March 22, 2012

Revised on May 15, 2014

Revised on January 15, 2015

Revised on October 15, 2015

Policy 15
ART & EXHIBITIONS COMMITTEE

1. Establishment

The Art & Exhibition Committee (hereafter “committee”) is formed in accordance with Bylaw VI. Art is herein defined as two- and three-dimensional objects, and is not meant to include such things as performance art or music.

2. Purpose

The purpose of the committee is to foster art appreciation at the Library by: acquiring art for the Library’s permanent collection; acquiring art on long- or short-term loan; organizing rotating exhibitions of art at the Library; arranging artist lectures at the library; acquiring art reference materials such as books for the lending collection; and other such activities the committee, Board, and Director deem appropriate. The committee may conduct fundraising efforts to further its work.

3. Composition

The committee will include at least one (1) and not more than three (3) Board Members (see bylaw VI.2.), and strive to include at least one (1) and not more than two (2) of each of these groups: library staff, Friends group, and the surrounding arts community.

4. General Provisions

A. The Ferndale Area District Library art collection and exhibits will seek to represent a broad spectrum of artistic expression, with an emphasis on local and Michigan artists.

B. All artwork must have artistic merit, meet acceptable professional standards and should be appropriate in scale, material, form and content for the Library environment.

C. All artwork must be either original work, hand-signed or authenticated by the artist, or a reproduction with recognized collection merit.

D. Works of art will be examined for durability, taking the Library environment and the condition of the piece into consideration. Extremely fragile

items or those that are potential targets for vandalism are not appropriate for the Library setting.

E. Works will not be selected or accepted that create unsafe conditions or contain other factors that may bear on public liability.

F. The full Board, in its sole discretion, will determine whether to purchase, accept or reject any gift, or long-term loan of artwork, based on recommendations from the committee.

G. To avoid conflicts of interest, no Board Member may exhibit their own artwork in the Library, unless it has been given to the Library as a gift.

5. Exhibitions

A. Majority votes of the committee will determine the nature and content of short-term exhibitions. Such work will be solicited and selected according to a plan developed by the committee.

B. Exhibitors will be required to complete a written agreement, developed by the committee.

C. The views expressed in the artwork exhibited at the Ferndale Area District are those of the artists and not necessarily those of the Board, Library Staff, or supporting organizations.

D. Insurance of the artwork, while on the library premises, will be the exhibitor's responsibility. The library will not accept liability for, or guarantee, the security of exhibited works of art. This will be made explicit to exhibitors before they install any work on the premises.

E. The Library shall not act as an agent for the sale of any artwork exhibited.

F. The committee may charge a modest application fee to applicants to any exhibition. Any fees collected will be used to further the work of the committee.

G. To avoid conflicts of interest, no committee member may submit their own work to any exhibition juried by the committee. Committee members (excluding Board Members) are not, however, prohibited from displaying their art in the Library on a loan basis.

H. The frequency, duration, timing, and placement of exhibitions will be determined by the committee.

6. Purchases and Gifts

A. The committee will be selective in purchasing art or when offered a donated object. Beside aesthetic qualities, it will take into consideration any security issues, the cost of installation, and the cost of maintaining the work over its lifetime. Initial and ongoing costs for conservation and installation will also be considered.

B. In the case of gifts or donations, the donor's conditions may affect whether or not the gift will be accepted.

C. Title to all gifts of art will pass to the Ferndale Public Library. Except for any special arrangements regarding deaccessioning, gifts to the library remain outright and unrestricted donations to be used according to the sole discretion of the library. Such art works will be used to the best interest of the library and its patrons.

D. The Board may request that an artwork be accompanied by a current appraisal of value and may request evidence of bona fide artistic importance and merit of the work and reputation of the artist. An appropriate deed of gift, or similar document transferring sole and exclusive ownership of the artwork to the Library will be required. The Board may also request evidence of provenance and present title of the artwork from the donor.

E. Donors who wish to receive a tax credit are responsible for getting an appraisal. The library will not provide value estimates on gift material.

F. Artwork that no longer has a relevant place in the library art collection will be deaccessioned and disposed of by a majority vote of the board, upon the recommendation of the committee, director, or in accordance with any special prior agreements with the donor. The priority of any funds received will be to go to further the library's art program.

7. Loans

A. Loans of art for display will be covered by a written agreement, to be developed by the committee, that includes the details for duration, placement, security, and return of the item when the loan is over.

B. Title and copyright of loaned materials will remain with the owner. Any necessary maintenance of artwork that is loaned for display in the Library will be the responsibility of the owner.

C. Security and insurance of the artwork, while on the Library premises,

will be the Library's responsibility, within certain limitations to be determined by the committee, and the current insurance policy. Some situations may need to be decided on a case-by-case basis. Details will be made explicit in the aforementioned agreement.

8. Complaints

From time to time questions, concerns, or complaints may be voiced by the public regarding works of art they see on display at the Library. These will be addressed in the following manner.

A. The Director shall take steps, as soon as possible, to meet with the person who issues the complaint or concern with a work(s) of art. The complainant will be asked to explain their concerns in detail.

B. An effort shall be made to explain to the person who issues the complaint why that particular work is on display at the Library, its artistic merit, and its relevance to the Library and the community it serves. A statement from the artist or the committee may be sought by the Director, and provided to the complainant.

C. The Director shall provide the person making the complaint with an "Art Reconsideration Form," and ask them to complete it. This will be forwarded to the committee.

D. Until the committee meets to vote on whether to remove the item from the library, it shall remain on display.

E. The complainant shall be informed of the committee's decision as soon as possible.

F. If the complainant is dissatisfied with the committee's decision, he or she may appeal the decision to the Board. The complainant will be given instructions in contacting the Board President in order to get the appeal onto a board meeting agenda.

G. The Board shall then consider the appeal and vote to uphold or overturn the decision of the committee, in compliance with all rules and policies governing the operation of the Board and its meetings.

H. The Director and/or committee may, with the permission of the complainant, who may request anonymity, use the complaint as an opportunity to have a public discussion about the issue(s) raised.

Approved on March 22, 2012

Revised on January 15, 2015

Revised on September 17, 2015

Policy 16
FREEDOM OF INFORMATION ACT

1. Statement of Principles

A. It is the policy of the Ferndale Area District Library that all persons, except those who are serving a sentence of imprisonment, consistent with the Michigan Freedom of Information Act (FOIA), are entitled to full and complete information regarding the affairs of government and the official acts of those who represent them as public officials and employees. The people shall be informed so that they fully participate in the democratic process.

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

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

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

2. General Policies

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

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

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

D. The Library is not obligated to create a new public record or make a compilation or summary of information which does not already exist. Neither the FOIA Coordinator nor other Library staff are obligated to provide answers to questions

contained in requests for public records or regarding the content of the records themselves.

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

F. The FOIA Coordinator shall keep the Board informed of all actions taken relative to a FOIA request as it proceeds.

3. Requesting a Public Record

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

B. No specific form to submit a request for a public record is required. However, the FOIA Coordinator may make available a FOIA Request Form for use by the public.

C. Written requests for public records may be submitted in person or by mail. Requests may also be submitted electronically by facsimile and e-mail. Upon their receipt, requests for public records shall be promptly forwarded to the FOIA Coordinator for processing.

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

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

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

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

4. Processing a Request

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

- Grant the request.
- Issue a written notice denying the request.
- Grant the request in part and issue a written notice denying in part the request.

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

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

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

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

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

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

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

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

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

5. Fee Deposits

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

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

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

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

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

6. Calculation of Fees

A. A fee will not be charged for the cost of search, examination, review and the deletion and separation of exempt 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 the unreasonably high costs.

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

- The particular request incurs costs greater than incurred from the typical or usual request received by the Library. See *Bloch v Davison Community Schools*, 2011 Mich App Lexis 771, 2011 WL 1564645
- Volume of the public record requested.
- Amount of time spent to search for, examine, review and separate exempt from non-exempt information in the record requested.
- The available staffing to respond to the request.
- Any other similar factors identified by the FOIA Coordinator in responding to the particular request.

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

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

D. Labor costs will be calculated based on the following requirements:

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

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

- Computer disks, computer tapes or other digital or similar media will be at the actual and most reasonably economical cost for the non-paper media.
 - This cost will only be assessed if the Library has the technological capability necessary to provide the public record in the requested non-paper physical media format.
 - In order to ensure the integrity and security of the Library's technological infrastructure, the Library will procure any requested non-paper media and will not accept non-paper media from the requestor
- F. The cost to provide paper copies of records will be based on the following requirements:
- Paper copies of public records made on standard letter (8 1/2 x 11) or legal (8 1/2 x 14) sized paper will not exceed \$.10 per sheet of paper. Copies for non-standard sized sheets of paper will reflect the actual cost of reproduction.
 - The Library may provide records using double-sided printing, if cost-saving and available.

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

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

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

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

7. Waiver of Fees

A. The cost of the search for and copying of a public record may be waived or reduced if in the sole judgment of the FOIA Coordinator a waiver or reduced fee is in the public interest because such can be considered as primarily benefitting the general public. May wish to establish and set forth the conditions a requestor must meet to so as to "benefit the general public" in order to obtain a waiver of fees.

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

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

C. An individual is not eligible to receive the waiver if:

- the requestor has previously received discounted copies of public records from the City twice during the calendar year; or
- the requestor requests information in connection with other persons who are offering or providing payment to make the request.

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

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

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

8. Appeal of a Denial of a Public Record

A. When a requestor believes that all or a portion of a public record has not been disclosed or has been improperly exempted from disclosure, he or she may file an appeal of the denial with the Office of the Board President. The appeal must be in writing, specifically state the word "appeal" and identify the reason or reasons the requestor is seeking a reversal of the denial.

B. Within 10 business days of receiving the appeal the Board President will respond in writing by:

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

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

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

E. If the court determines that the Library arbitrarily and capriciously violated the FOIA by refusing or delaying the disclosure of copies of a public record, it shall award the appellant punitive damages in the \$1,000. Court shall also order that the public body pay a civil fine of \$1000 to the general fund of the State treasury.

9. Appeal of an Excessive FOIA Processing Fee

A. If a requestor believes that the fee charged by the Library to process a FOIA request exceeds the amount permitted by state law, he or she must first submit a written appeal for a fee reduction to the Office of the Board President. The appeal must be in writing, specifically state the word "appeal" and identify how the required fee exceeds the amount permitted.

B. Within 10 business days after receiving the appeal, the Board President will respond in writing by:

- waive the fee;
- reduce the fee and issue a written determination indicating the specific basis that supports the remaining fee, accompanied by a certification by the Board President that the statements in the determination are accurate and the reduced fee amount complies with these Procedures and Guidelines and Section 4 of the FOIA;
- uphold the fee and issue a written determination indicating the specific basis under Section 4 of the FOIA that supports the required fee, accompanied by a certification by the Board President that the statements in the determination are accurate and the fee amount complies with these Procedures and Guidelines and Section 4 of the FOIA; or
- issue a notice detailing the reason or reasons for extending for not more than 10 business days the period during which the Board President will respond to the written appeal.

C. Within 45 days after receiving notice of the Board President's determination of a fee appeal, a requestor may commence a civil action in Kalamazoo County Circuit Court for a fee reduction. If a civil action is filed appealing the fee, the Library is not obligated to process the request for the public record until the Court resolves the fee dispute.

D. If the court determines that the Library required a fee that exceeds the amount permitted, it shall reduce the fee to a permissible amount. If the appellant in the civil action prevails by receiving a reduction of 50% or more of the total fee, the court may award all or appropriate amount of reasonable attorneys' fees, costs and disbursements.

E. If the court determines that Library has acted arbitrarily and capriciously by charging an excessive fee, the court shall also award the appellant punitive damages in the amount of \$500.

10. Conflict with Prior FOIA Policies and Procedures; Forms

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

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

C. Relevant forms for FOIA requests, denials, etc. will be on file with the Director and available to the public upon request.

Effective June 30, 2015.

Approved on June 29, 2015

Policy 17 **INVESTMENT POLICY**

It is the policy of the Ferndale Area District Library (“Library”) to invest its funds in a manner which will provide the highest investment return with the maximum security while meeting the daily cash flow needs of Library and comply with all state statutes governing the investment of public funds.

This investment policy applies to all financial assets of the Library. 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.

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

- **Safety**--Safety of principal is the foremost objective of the investment program. Investments shall be undertaken in a manner that seeks to insure the preservation of capital in the overall portfolio.
- **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**--The investment portfolio shall be designed with the objective of obtaining a rate of return throughout the budgetary and economic cycles, taking into account the investment risk constraints and the cash flow characteristics of the portfolio.

Delegation of Authority to Make Investments

Authority to manage the investment program is derived from the following:

Library Board resolution approved June 18, 2015 designating Comerica Bank as the Library's depository.

Management responsibility for the investment program is hereby delegated to the Director and Treasurer, who shall establish written procedures and internal controls for the operation of the investment program consistent with this investment policy. Procedures should include references to: safekeeping, delivery vs payment, investment accounting, repurchase agreements, wire transfer agreements, collateral/depository agreements and banking service contracts. No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the (title of the designated official) Director and Treasurer. The Director

and Treasurer shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities or subordinate officials.

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

Certificates of deposit, savings accounts, money market accounts, or depository receipts of a financial institution.

All security transactions, including collateral for repurchase agreements and financial institution deposits, entered into by the Library shall be on a cash (or delivery vs payment) basis. Securities may be held by a third party custodian designated by the treasurer and evidenced by safekeeping receipts as determined by the treasurer.

Prudence

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

Approved on June 29, 2015

Policy 18
CAPITAL ASSET MANAGEMENT POLICY

PURPOSE: The purpose of this policy is: (1) to describe the Ferndale Area District Library’s capital asset management system; (2) put in place guidelines for accounting for and depreciating the Ferndale Area District Library’s capital assets.

The primary goals of this policy are:

- To ensure that the Ferndale Area District Library’s capital assets are accounted for in conformance with generally accepted accounting principles; and
- To establish a consistent and cost-effective method for accounting of the Ferndale Area District Library’s capital assets.

This capital asset policy is in accordance with generally accepted accounting principles and closely conforms to capital asset accounting practices as recommended by the Government Finance Officers Association.

RESPONSIBILITY: The Ferndale Area District Library Director and/or designee shall be responsible for implementation of this policy.

POLICY:

Threshold

Effective July 1, 2015, the Ferndale Area District Library will capitalize individual assets other than Buildings, Building Improvements and Land Improvements, and Infrastructure that cost \$3,000 or more and have an estimated useful life of more than one year. The capitalization threshold for Buildings and Building Improvements shall be \$2,500.

However, assets acquired with debt proceeds may be capitalized regardless of cost. In addition, assets acquired prior to July 1, 2015 and capitalized at a lower threshold, may continue to be depreciated on the basis of past practice.

Individual assets that cost less than \$500, but that operates as part of a network system may be capitalized in the aggregate, using the group method, if the estimated average useful life of the individual asset is more than one year. A group is determined to be where individual components may be below \$500 but are interdependent and the overriding value to the Ferndale Area District Library is on the entire network and not the individual assets (e.g. computer systems and telephone systems).

Valuation

In accordance with generally accepted accounting principles, the Ferndale Area District Library will value its capital assets at historical cost. Historical cost includes the cost or estimated cost at the time of acquisition, freight charges, installation and site preparation charges, and the cost of any subsequent additions or improvements, excluding repairs. If a capital asset is donated to the Ferndale Area District Library the asset will be valued based on the fair market value at the time the asset is donated.

Capital Assets Inventory Report

As part of the financial audit, the Administrative Services/Accounting Department shall submit a capital asset report to the Ferndale Area District Library's external auditor on an annual basis. This report will include the following information:

- Type of asset (i.e. land, building, infrastructure)
- Date of acquisition
- Acquisition cost
- Estimated useful life
- Annual depreciation
- Accumulated depreciation

Depreciation

The Ferndale Area District Library will use the Straight-Line Method as its "basic approach" (standard approach) to depreciate capital assets.

The Modified Approach, which does not require depreciation, may be used on assets whenever applicable.

Estimated Useful Lives

The following ranges are guidelines in setting estimated useful lives for depreciating assets:

Building and Structures: 20-50 years Furniture / Fixtures: 7-10 years

Other Equipment: 2-10 years Computer Equipment 3-4 years

Books: 2-10 years

Capital vs. Repair and Maintenance Expense

The following criteria are the basis for distinguishing costs as either capital or repair and maintenance expense:

1. With respect to improvements on non-infrastructure and infrastructure capital assets, under the **Basic Approach**, costs should be capitalized if the useful life of the asset is substantially extended, or the cost results in a substantial

increase in the capacity or efficiency of the assets.

Otherwise, the cost should be expensed as repair and maintenance.

2. With respect to improvements on infrastructure capital assets under the **Modified Approach**, costs should be capitalized if expenditures substantially increase the capacity or efficiency of an infrastructure. Otherwise, costs, including those that preserve the useful life of an infrastructure asset, are expensed.

Inventory

For internal control purposes, the Ferndale Area District Library may maintain an inventory listing of certain assets (controlled equipment) that do not meet the above reference capitalization amounts. Controlled equipment includes items that should be specifically accounted for and inventoried periodically due to the high re-sale value of the equipment and potential risk of theft. Controlled equipment may include items such as computers and other office equipment.

Disposal and Transfer of Ferndale Area District Library's Assets

Disposition of Ferndale Area District Library assets will be performed in accordance with applicable Ferndale Area District Library policies and procedures.

ADMINISTRATIVE PROCEDURES:

The Ferndale Area District Library Director is authorized to adjust this policy where necessary.

Approved on August 20, 2015

Policy 19
FUND BALANCE POLICY

PURPOSE: The following policy has been adopted by the Ferndale Area District Library (FADL) Board of Trustees in order to address the implications of Governmental Accounting Standards Board (“GASB”) Statement No. 54, Fund Balance Reporting and Governmental Fund Definitions.

The policy is created in consideration of unanticipated events that could adversely affect the financial condition of the Library and jeopardize the continuation of necessary public services. This policy will ensure that the FADL maintains adequate fund balances and reserves in order to:

- Provide sufficient cash flow for daily financial needs,
- Secure and maintain investment grade bond ratings,
- Offset significant economic downturns or revenue shortfalls, and
- Provide funds for unforeseen expenditures related to emergencies.

This policy and the procedures promulgated under it supersede all previous regulations regarding the Library’s fund balance and reserve policies.

FUND TYPE DEFINITIONS: The following definitions will be used in reporting activity in governmental funds across the Library. The Library may or may not report all fund types in any given reporting period, based on actual circumstances and activity.

General Fund: is used to account for all financial resources not accounted for and reported in another fund.

Special Revenue Funds: are used to account and report the proceeds of specific revenue sources that are restricted or committed to expenditure for specific purposes other than debt service or capital projects.

Debt Service Funds: are used to account for all financial resources restricted, committed or assigned to expenditure for principal and interest.

Capital Projects Funds: are used to account for all financial resources restricted, committed or assigned to expenditure for the acquisition or construction of capital assets.

Permanent Funds: are used to account for resources restricted to the extent that only earnings, and not principal, may be used for purposes that support the Library's purposes.

Fund balance reporting in governmental funds. Fund balance will be reported in governmental funds under the following categories using the definitions provided by GASB Statement No. 54:

DEFINITIONS:

Nonspendable Fund Balance

- Definition - includes amounts that cannot be spent because they are either (a) not in spendable form or (b) legally or contractually required to be maintained in-tact.
- Classification - Nonspendable amounts will be determined before all other classifications and consist of the following items (as applicable in any given fiscal year):
 - The Library will maintain a fund balance equal to the value of inventory balances and prepaid items (to the extent that such balances are not offset with liabilities and actually result in fund balance).
 - The Library will maintain a fund balance equal to the corpus (principal) of any permanent funds that are legally or contractually required to be maintained in-tact.
 - The Library will maintain a fund balance equal to the balance of any land or other nonfinancial assets held for sale.

Restricted Fund Balance

- Definition - includes amounts that can be spent only for the specific purposes stipulated by the constitution, external resource providers, or through enabling legislation.

Committed Fund Balance

- Definition - includes amounts that can be used only for the specific purposes determined by a formal action of the Library's highest level of decision-making authority.

- Authority to Commit - Commitments will only be used for specific purposes pursuant to a formal action of the Board of Directors.

Assigned Fund Balance

- Definition - includes amounts intended to be used by the Library for specific purposes but do not meet the criteria to be classified as restricted or committed. In governmental funds other than the general fund, assigned fund balance represents the remaining amount that is not restricted or committed.
- Authority to Assign - The Board of Trustees delegates to the Director or his/her/their designee the authority to assign amounts to be used for specific purposes. Such assignments cannot exceed the available (spendable, unrestricted, uncommitted) fund balance in any particular fund.

Unassigned Fund Balance

- Definition - includes the residual classification for the Library's general fund and includes all spendable amounts not contained in the other classifications. In other funds, the unassigned classification should be used only to report a deficit balance from overspending for specific purposes for which amounts had been restricted, committed, or assigned.

OPERATIONAL GUIDELINES:

The following guidelines address the classification and use of fund balance in governmental funds:

Classifying Fund Balance Amounts - Fund balance classifications depict the nature of the net resources that are reported in a governmental fund. An individual governmental fund may include nonspendable resources and amounts that are restricted, committed, or assigned, or any combination of those classifications. The general fund may also include an unassigned amount.

Encumbrance reporting - Encumbering amounts for specific purposes for which resources have already been restricted, committed, or assigned should not result in separate display of encumbered amounts. Encumbered amounts for specific purposes for which amounts have not been previously restricted, committed or assigned, will be

classified as committed or assigned, as appropriate, based on the definitions and criteria set forth in GASB Statement No. 54.

Prioritization of fund balance use - When an expenditure is incurred for purposes for which both restricted and unrestricted (committed, assigned, or unassigned) amounts are available, it shall be the policy of the Library to consider restricted amounts to have been reduced first. When an expenditure is incurred for purposes for which amounts in any of the unrestricted fund balance classifications could be used, it shall be the policy of the Library that committed amounts would be reduced first, followed by assigned amounts and then unassigned amounts.

Minimum unassigned fund balance - The Library will maintain a minimum unassigned fund balance in its General Fund ranging from [15] percent to [20] percent of [the subsequent year's budgeted expenditures and outgoing transfers]. This minimum fund balance is to protect against cash flow shortfalls related to timing of projected revenue receipts and to maintain a budget stabilization commitment.

Replenishing deficiencies - when fund balance falls below the minimum [15] percent range, the District will replenish shortages/deficiencies using the budget strategies and timeframes described below.

The following budgetary strategies shall be utilized by the Library to replenish funding deficiencies:

- The Library will reduce recurring expenditures to eliminate any structural deficit or,
- The Library will increase revenues or pursue other funding sources, or,
- Some combination of the two options above.

Implementation and review Upon adoption of this policy the Board of Trustees s authorizes the Director to establish any standards and procedures which may be necessary for its implementation. The Director shall review this policy at least annually and make any recommendations for changes to the Board of Trustees.

Approved on August 20, 2015

Policy 20

WHISTLEBLOWERS

The Ferndale Area District Library (“Library”) is committed to the highest standards of openness, honesty, and accountability. In consideration of that commitment, the Library expects employees and others with concerns about any aspect of the library’s ongoing operations involving matters identified below in Section 1. Scope, to come forward and voice those concerns. This Whistleblower Policy is intended to encourage and enable employees to raise such concerns within the Library, without fear of retaliation.

1. Scope

This policy aims to:

- Provide avenues for employees to raise concerns and receive feedback on any action taken.
- Reassure employees that they will be protected from retaliation or victimization for providing information in good faith.
- Inform employees how to take the matter further, if they are dissatisfied with the response.

This Whistleblower Policy is intended to cover concerns of any employee or of any individual closely involved in the operations of the Library. These concerns may be about something that:

- Is unlawful.
- Violates the Library's stated policies.
- Falls below established standards of practice.
- Represents improper conduct.

2. Safeguards

Employees are often the first to realize there may be something occurring within the Library that needs to be addressed and corrected. However, the Library recognizes that the decision to report a concern can be a difficult one to make, possibly because they feel speaking up would be disloyal to their colleagues. They may also fear retaliation or victimization from those responsible for the misconduct.

Every effort will be made to protect an individual's identity if they report a concern and do not want their name disclosed. The investigation process, however, may reveal the source of the information, and/or a statement by the individual may be required as part of the evidence.

Individuals are encouraged to put their names to allegations. The validity of concerns expressed anonymously are much more difficult to determine, but they may be considered at the discretion of the library. In exercising this discretion, the factors to be considered include:

- The seriousness of the issues raised.
- The credibility of the concern.
- The likelihood of confirming the allegations from attributable sources.

If an allegation is made in good faith, no action will be taken against the originator of the allegation even if it is not corroborated by the investigation. If individuals make malicious allegations, appropriate disciplinary action may be considered.

3. Raising a Concern

The first step is to approach the Library Director. If the subject of the allegation happens to be the Library Director, employees should refer to Policy 13, "Staff Grievances Against the Director". In all cases, an initial investigation will determine whether or not a full investigation is required.

Concerns should be reported in writing using the Fraud, Theft and Corruption Disclosure Form (attached) . These forms can be obtained, confidentially, from the Library Director or any member of the Board of Trustees. The background and history of the issue, together with pertinent dates, should be included on the form. Include as much detail as possible, including the reason why the individual suspects fraud, theft, or corruption. The earlier the concern is reported, the easier it is to investigate and take action. Although employees are not expected to prove the truth of an allegation, they will need to demonstrate that there are sufficient grounds for concern.

4. How the Complaint Will Be Handled

The action taken by the Library will depend on the nature of the concern. The matters raised may be investigated internally and/or reported to the police.

The amount of contact between the investigator and the originator of the complaint will depend on the nature of the issues raised, the potential difficulties

involved, and the clarity of the information provided. The Library will take steps to minimize any difficulties that the originator of the complaint may experience as a result of their concern.

Allegations will be addressed as follows depending on the nature of the allegation:

- An internal investigation by the Library Director, the Library Board, or an external auditor.
- Referral of criminal matters to the police.

The complainant will receive, within ten (10) working days of a concern being received, written communication:

- Acknowledging that the concern has been received.
- Indicating how the matter will be handled.
- Giving an estimate of how long it will take to provide a final response.
- Telling them the status of the initial investigation.
- Telling them if any further investigation will take place, and if not, why.

The investigation will be planned with consideration to the following:

- Resources required to investigate the allegation.
- Legal status of the allegation (e.g., theft or breach of procedure).
- Internal disciplinary procedures.
- Level of evidence required.
- Protection of data and documents required.
- Minimization of the effect on employees and others.
- Recovery of lost funds and minimizing the potential for further loss.
- Review of any improvements required to prevent re-occurrence.

The Library appreciates that individuals who report their concerns under this policy need to be assured that the matter has been properly addressed. Thus, where appropriate, and subject to legal constraints, they will receive information about the outcome of any investigation.

If the allegation directly impacts another organization, the highest-ranking officer at that organization will be informed.

Adopted on October 15, 2015

Policy 21
PUBLIC COMMENT RULES AND PROCEDURES

The Ferndale Area District Library Board welcomes public comment during its meetings. The presiding officer shall be guided by the following rules:

1. Attendees must register their intention to speak in the public comment portion of the meeting upon their arrival at the meeting. A sign-in roster will be available.
2. Total time for comments will not exceed thirty minutes and each speaker may speak for three minutes.
3. The presiding officer will recognize the speaker after they provide their name and address and affiliation (if any)
4. All public comments shall be addressed to the Board as a whole. No comments shall be addressed to individual members of the Board, library staff, or other members of the public.
5. Speakers are expected to be respectful and courteous and refrain from personal attacks or comments.
6. Board members generally do not respond to public comment during a board meeting. Specific concerns and questions will be noted and followed up on if needed.

Adopted August 20, 2020

— Part Four —

LIBRARY OPERATION POLICIES

Policy A MEETING ROOM USE

1. Purpose and Conditions of Meeting Room Use

A. Congruent with the Library’s mission, meeting rooms are available for events that are educational, cultural, or civic in nature. They are also available for meetings of businesses or non-profit groups that are located in Ferndale, or are members of the Ferndale Chamber of Commerce. Private, personal or family functions are not permitted in library meeting rooms.

B. Use of the Library meeting rooms does not imply endorsement by the Library staff or Board Members of the viewpoints presented. Advertisements, promotions, or announcements implying or stating such endorsement are prohibited.

C. Youth and children’s groups may use the meeting room but only if reserved by an adult (over 18 years of age) representative of the group. Children and youth under 18 years of age must be supervised by a sufficient number of adults at all times.

D. Permission to use meeting rooms is revocable and does not constitute a lease. Inclusion of false information on the application form and/or failure to comply with meeting room regulations will result in automatic and immediate revocation of permission.

E. The Ferndale Area District Library does not discriminate in making its meeting rooms available for use on the basis of age, race, color, religion, gender, national origin, marital status, parental status, sexual orientation, gender identity, political ideology, creed, ancestry, or the presence of any sensory, mental or physical disability.

F. Final authority to determine who may use the room belongs to the Ferndale Area District Library Board as set forth in this policy.

2. Restrictions of Use

A. Library programs and sponsored events have priority in the use of meeting room space. The Library reserves the right to reschedule confirmed meeting room reservations to accommodate Library-sponsored programs and events. If possible, the Library will cancel or reschedule a reservation at least 24 hours in advance of a group's scheduled meeting date.

B. All groups or individuals using the meeting room ("users") are accommodated on a first come, first served basis with Library programs or business having first priority.

C. All meetings shall be open to the public.

D. Commercial and for-profit groups may use the meeting rooms, but the use must be for educational, cultural, informational or governmental/civic activities. No commercial, sales, or profit-making uses of the meeting rooms are permitted. However, the sale of books, CDs and other items by authors or artists as a part of and incidental to Library programming shall be permitted if such sale is approved in advance by the Director.

E. No admission or registration fee may be sought from meeting attendees unless the Library co-sponsors the program. In recognition of the fact that tax revenue is not sufficient to support enhanced library services, the Ferndale Area District Library will hold fundraising events in the Library for the purpose of funding public library services to the people served by the Library.

F. There are limits regarding how often a group may use the meeting rooms. See Reservation and Cancellation.

3. Rules Governing Use of Meeting Room

A. Public use of meeting rooms may not interfere with the Library's operation or disturb other Library users. Meeting room users must observe the Library's rules of conduct and all Library policies.

B. The Library reserves the right to enter any meeting held in its facilities to ensure the security of Library user and property, to determine that no unlawful activities are occurring on Library premises and to verify that the use of the room is consistent with Library policy.

C. Smoking and alcoholic beverages are not permitted. The sole exception to the prohibition on alcoholic beverages in the Library is if an event hosted by the Library meets the following criteria:

- i. The event is a fundraising event at which the proceeds go to the Ferndale Area District Library (directly or through the Friends of the Ferndale Library -- a 501c(3) not-for-profit corporation) or the City of Ferndale;
- ii. The Ferndale Area District Library approves the event at a public meeting of the Board;
- iii. The Ferndale Area District Library applies for and receives a one-day liquor license from the Michigan Liquor Control Commission;
- iv. The serving and consumption of alcoholic beverages only occurs after regular Library hours.
- v. The Ferndale Area District Library staff or one or more Board Members are present at the event to provide oversight for the compliance with the rules, laws and conditions of the liquor license.

D. Gambling is not permitted in the meeting rooms.

E. Set-up and special arrangements of chairs and tables are the responsibility of the customer. No special room set up is provided by the Library. Users are responsible for returning all tables and chairs to the original setup or to storage.

F. Storage of items by meeting room users is not permitted. Materials left after the end of a meeting will be discarded.

G. Users may not tack, pin, paste or tape anything to walls, doors, windows, or other structural elements of the meeting room facility.

H. Users are responsible for leaving the room clean and in good order.

I. Any damage, loss, theft or misuse of Library equipment or facilities is the responsibility of the group or individual reserving the room.

J. The Library is not liable for injuries to people or damage to property, individuals or organizations using the meeting rooms. The Library is not liable for theft of private property. Users of the meeting room agree to indemnify and defend the Library, the City of Ferndale and their employees for any action resulting from the use of the facilities.

K. Users shall abide by all applicable laws, ordinances, codes, Library policies and other rules. Fire prevention regulations include but are not limited to the following:

- i. Use of open flames is prohibited.
- ii. Extension cords cannot have exposed wire and must be UL-approved
- iii. No combustible decorations are allowed.

iv. Egress routes may not be obstructed in any way and exit signs must remain clearly visible.

L. Users are responsible for ADA (Americans with Disabilities Act) requirements and for providing requested accommodations for meetings or programs.

M. Users shall permit no more persons than is stated by occupancy requirements.

N. Users shall not distribute personal or group literature, brochures and other materials to Library patrons outside of the meeting room in the Library building. Persons or groups using the meeting rooms shall not leave printed materials on Library property without prior approval of the Director in accordance with Library Policy.

O. Users shall not sell tickets, raffles or any objects or solicit contributions from persons located anywhere in the Library or on Library property.

4. Refreshments

A. Light refreshments may be served if approved in advance by the ~~Library~~ Director or his or her designee. Users must specify on their application what kind of refreshments they intend to serve and how refreshments will be served

B. Catering is permitted if approved in advance by the Library. Users must specify on their application what kind of catering they intend and how food will be served. Caterers are to arrive, depart and pick up their equipment only during the time scheduled for the meeting room.

C. If refreshments are served in the meeting rooms, a deposit is required—
See Fees.

5. Use of Library Equipment

A. Wireless Internet access is available in the meeting rooms. Use of the Internet must conform to the Library's Internet Use Policy.

B. Users may use available Library audio/visual and presentation equipment. A Library staff member will set up Library-owned equipment and ensure it operates properly. Library staff will also store equipment after use.

C. Use of Library audio/visual and presentation equipment is not permitted after Library hours.

D. Users may bring their own computer, projection or other electronic devices. The Library accepts no responsibility for the use or care of personally-supplied equipment.

E. Library staff will not operate the equipment during programs.

F. There is an additional charge for use of Library equipment—see Fees.

6. Reservation and Cancellation

A. Users interested in using the Library meeting rooms must first fill out an application form provided by the Library. This application must be on file at the Library no earlier than six (6) months in advance and at least one (1) week prior to the scheduled meeting date. Application forms are available at the Library and on the Library's website. Fees for use are due at the time of application. Additional charges/deposits for equipment use or refreshments are also due at this time. See Fees.

B. An authorized adult (over 18 years of age) representative of the group must request use of meeting rooms and fill out the application form. By signing the form the applicant agrees that the Library Meeting Room Policy ("Policy") applies to the requested use of space and has been read and understood. The Library will contact the applicant with confirmation that the reservation is accepted. Do not assume that a reservation is complete upon submission of the application. Similarly, meeting room reservations may be made by telephone but are not confirmed until the application form has been completed, signed and processed.

C. Because of the demand for use of the meeting rooms, the Library may not be able to accommodate users desiring to schedule multiple meetings. No more than one meeting per month may be scheduled.

D. Meetings may extend after Library hours, but they must begin during Library hours. Users are responsible for securing Library property after hours and must be certain that all doors are locked and secure when they leave the building.

E. The meeting rooms may be reserved in one-hour increments. Unless special arrangements are made, no group may reserve meeting rooms for more than four hours a day.

F. Meetings may not be scheduled when the Library is closed without special arrangements with Library staff.

G. Meetings will be posted on the Library website monthly calendar in accordance with the information submitted at the time of the reservation.

H. No user may assign its reservation to another user.

I. Users that consistently fail to use their reservations may be charged a non-refundable deposit of \$100.00. Fees will not be refunded to users who fail to use their reservation. Users that fail to arrive or notify the Library within 30 minutes after the scheduled beginning time of their meeting forfeit their reservation.

J. When it is necessary for users to cancel a reservation, the Library should be notified immediately. Cancellation less than 24 hours prior to the scheduled meeting time will result in forfeiture of the meeting room fee.

K. The Library reserves the right to cancel or reschedule any reservation due to conflicts with Library programming or unforeseen circumstances such as inclement weather, mechanical failure, or other building issues. In the event of a Library building or weather-related emergency, the Library reserves the right to cancel the meeting. The Library will notify the group contact on the reservation application form with as much advance notice as possible.

7. Fees

All fees for use of the room(s), equipment, deposits, etc. will be set in a schedule of fees as part of each annual budget.

8. Violations, Penalties and Appeal

A. If a group or individual using the meeting rooms (“User”) violates Library policy, including this Policy, the Library Director or the Director’s designee may restrict access to Library facilities, including the Library meeting rooms, by immediately dismissing the patron from the premises, by suspending the patron’s access to Library facilities for a set period of time, or by denying access to specific services and/or programs pursuant to this Policy. If necessary, the local police may be called to intervene.

i. Incident Reports: Library Staff shall record in writing in the form of an Incident Report any violation of this Policy that resulted in a verbal warning or a suspension of Library privileges. By the end of the day on which the incident occurred, an Incident Report shall be written and forwarded to the Library Director for logging and review. The report should include physical descriptions in addition to the name of the patron. A copy of the suspension of privileges letter should be attached, if applicable.

ii. Violation of the Policy – Suspension of Privileges: Unless otherwise provided in this Policy, (See Section C below), the Library shall handle violations as follows:

iii. Initial Violation: Library patrons observed violating this policy will be asked to cease the violation with a verbal request. If the patron does not comply with the request, he or she will be asked to

leave the building for the day. If he or she refuses, police may be called.

iv. Subsequent Violations: The Director or the Director's authorized designee may further limit or revoke the patron's library privileges if infractions continue. Such limitation or revocation shall be in writing specifying the nature of the violation. Subsequent violations of the same rule shall result in additional suspensions of increasing length.

B. Violations that Affect Safety and Security: Violations involving verbal abuse, violence, threatening behaviors, sexual harassment, vandalism, drug sale or use or attempted drug sale or use, intoxication, theft or attempted theft, physical harassment, sexual misconduct or any behavior that threatens the safety and security of staff and/or patrons shall be handled as follows:

i. Initial Violation: The police will be called immediately. If the conduct constitutes a violation of local, state, or federal law, arrest or criminal prosecution may ensue. Violations of this nature will result in an immediate minimum two-week suspension of library privileges. The Incident Report shall specify the nature of the violation.

ii. Subsequent Violations: The police will be called immediately. If the conduct constitutes a violation of local, state, or federal law, arrest or criminal prosecution may ensue. The Director or the Director's authorized designee, may further limit or revoke the patron's library privileges in escalating responses, which will be documented in writing. Subsequent violations of the same rule will result in additional suspensions of increasing length.

C. Reinstatement: The User whose privileges have been limited or revoked shall attend a meeting with the Director or the Director's designee to review the Policy before their privileges may be reinstated.

D. Damages: If the User violates the policy by causing damage to Library property, the User shall be assessed the actual costs.

i. Users may appeal a decision in writing to the Library Director within 10 working days of the date of the letter stating why library privileges should be restored.

ii. The Library Director or a designee will respond to the appeal in writing within 10 working days of the date the appeal was received.

Any person may appeal the Library Director's decision by sending an appeal in writing to the President of the Library Board within 10 business days. The decision of the Library Board is final.

Approved on August 3, 2010

Revised on May 26, 2011

Revised on September 22, 2011

Revised on May 24, 2012

Revised on January 15, 2015

Policy B
STUDY ROOM USE

1. The small study rooms are provided to the public for private, quiet study and for meetings by small groups for the same purposes as the Library meeting rooms (*See Meeting Room Policy, 8/3/10*).

A. A maximum of ten people may use a study room at a given time.

B. Individuals and groups may reserve the room one day ahead of time or on the day of desired use.

C. Walk-ins are welcome if the room is free.

2. Conditions of Use

A. No Food or Drink Allowed.

B. Individuals and groups are allowed to reserve up to two hours of use at a time.

C. Extra time may be granted by Reference Staff but the group will be asked to leave if another group wants to use the room after the first group's two hours have elapsed.

D. Walk-ins must check-in at the Reference Desk before using the room. They will be allotted two hours, if there is availability.

3. Reservation Process

A. A weekly schedule is maintained by the Reference Staff at the Reference Desk. Persons wishing to reserve the room must consult with Reference Staff.

B. Reservations will be posted on signs located next to each study room.

C. Staff interested in using the small meeting room must sign-up the weekly schedule.

Library Policy C
CIRCULATION POLICIES and PROCEDURES

1. Library Card Requirements: Adults

A. Must be 18 years of age or over. Valid current State of Michigan driver's license or State ID card with current address that is located within the boundaries of the Ferndale Library District (which corresponds to the city boundaries), Or: Valid picture ID or passport and current lease, mortgage, or utility bill (gas, electric, water, or cable/satellite provider) with name and current address that is located within the boundaries of the Ferndale Library District (which corresponds to the city boundaries). Identification with post office box number only is not acceptable.

B. Except for addresses on Woodward Avenue, any address with more than four digits identified with the City of Ferndale and the 48220 zip code is located in Royal Oak Township. Applicants with Royal Oak Township addresses should be given a temporary card and referred to their library to obtain a library card, or given a non-resident card.

C. To confirm whether an address is located within the boundaries of the Ferndale Library District (which corresponds to the city boundaries), consult the City of Ferndale website at Services>Assessor>Treasurer>Property Assessment & Tax Info: (<https://is.bsasoftware.com/BSA.IS/default.aspx>)

D. To provide better service, applicants are encouraged to provide their phone number and email address, but neither is required to obtain a card and have full borrowing privileges.

E. Patrons must report a change in address. A change of address sticker on the back of a driver's license or State ID, new driver's license or State ID, or piece of mail indicating a new address will be accepted as proof of a change of address. If mail sent to patrons (overdue notices, etc.) is returned to the Library, borrowing privileges will be suspended until the patron presents documentation of a new or alternative address.

F. If an applicant resides in a community served by a TLN (The Library Network) member library, the applicant should obtain a card from that Library. This card will allow the applicant borrowing privileges at the Ferndale Area District Library as well as at any other TLN member library.

G. Non-residents may obtain a library card for a fee of \$100 per year, or \$25/quarter (the card will expire quarterly). All Requirements above must be met to obtain a card.

2. Library Card Requirements: Children

A. Children ages 5 to 17 must have a parent or legal guardian sign their application for a library card. (See Form)

B. If a child's parent or legal guardian cannot come to the library to fill out and sign the application, an application will be sent home with the child to be filled out and signed by the child's parent or guardian. The child must return the form to the Library and present his or her parent's or guardian's valid current identification (see Requirements: Adults above). A card will then be issued.

C. A library card will be issued to an emancipated child in his or her own name if the child provides appropriate current documentation as proof of emancipation.

D. Parents and/or legal guardians are responsible for any library fines or fees accrued by their child. There are no fines on juvenile materials, but eligible new adult materials checked out on a child's card may accrue fines.

3. Special Cases

A. Patrons residing in a TLN community may be issued a 30-day temporary Ferndale Area District Library card. This will facilitate their use of the Library and allow time for the patron to obtain a library card from their home library.

B. Anyone owning property located within the boundaries of the Library District may obtain a card. Valid proof of identity (see Requirements: Adults above) and a deed to the property owned or current property tax statement must be presented.

C. Anyone employed within the boundaries of the Library District may obtain a card. In addition to valid proof of identity, a pay stub showing the applicant's name, address and place of business, or a letter from the applicant's employer on employer letterhead documenting local employment must be presented. The library card issued will be valid only at the Ferndale Area District Library.

D. Employees of the Ferndale Area District Library may obtain a card regardless of where they live.

E. Students attending the Ferndale School District who reside outside of the Library District may obtain a card as follows:

1. Students must present proof of attending school in the Ferndale School District. Acceptable documents include a student ID card, a report card, a class schedule, and a letter from the school on school letterhead, signed by a teacher or principal.

2. If between the ages of 5 and 17, students must obtain a parent's or legal guardian's signature on the application as provided in Section 2.B

above. Parents or legal guardians are responsible for any library fines or fees accrued by the student.

3. Non-resident Student cards are valid only at the Ferndale Area District Library.

4. Expiration of Cards

A. Library cards expire and must be renewed in one year from the date of issuance.

5. Renewal of Cards

A. Cards may be renewed within 30 days of their expiration date.

B. Cards will be renewed upon verification of current address (see Requirements) All outstanding fines and fees must be paid before a card will be renewed.

6. Lost or Damaged Cards

A. A \$2.00 fee is charged to replace a lost or damaged card or key tag. Cards and key tags will not be replaced unless they are unreadable by circulation equipment. Patrons are encouraged to carry and have available their wallet cards.

B. New cards will be issued without charge upon renewal if necessary.

7. Circulation of Library Material

A. Cardholders should present a valid card to check out material.

Cardholders who cannot present their library card may check out material upon presentation of a valid, current picture ID card such as a driver's license, State ID card, or school ID card.

B. Loan Periods

• BOOKS •	
Fiction & Nonfiction: Adult; YA; Juvenile	3 Weeks
New Adult Fiction & Non-fiction	2 Weeks
“Lucky Day” Books	1 Week
• MEDIA •	
DVDs	1 Week
New DVDs (Feature Films)	2 Days
CDs (Music)	2 Weeks
Audiobooks	3 Weeks
• OTHER •	
Magazines	1 Week
Michigan Activity Passes	1 Week

C. Loan periods may be extended for vacations and medical situations if material to be borrowed is not in high demand. Extensions of loan periods shall not exceed more than twice the normal loan period for a given item. DVDs and music CDs (music) are not available for extended loan.

8. Overdue Fines

A. Fines are not imposed on Ferndale Library materials

B. Patrons accumulating over \$5.00 in overall fines will have checkout and computer privileges suspended.

C. Patrons accumulating over \$20.00 in fines and fees will be referred to a third party collection agency after 51 days, and assessed an additional \$10.00 referral fee.

D. Fines are associated with the type of item that is overdue and do not depend on whether the borrower is an adult or child.

E. Under extenuating circumstances, at the discretion of the Head of Circulation, fines may be reduced or waived.

9. Loan Limits

A. Patrons may have no more than 100 items on loan at any given time.

B. Patrons may have no more than ten (10) DVD/visual media items and five (5) NEW DVD/visual media items on loan at any given time.

C. Patrons may have no more than fifteen (15) CDs (music) on loan at any given

time.

D. Patrons may not borrow multiple copies of the same item.

E. Loan limits may not be exceeded

10. Renewals

A. DVDs (visual media) and CDs (music) may be renewed one time, if there are no holds on the item(s) and it is not a new DVD or new CD.

B. Items on hold (reserved) for other patrons may not be renewed.

C. All other library items may be renewed twice. At the discretion of the Head of Circulation, this limit may be overridden to allow a patron time to find claimed lost material without accruing fines.

D. Patrons may renew material by phone and online.

E. Overdue material may be renewed. Patrons are encouraged to pay fines upon renewal. Renewal does not cancel fines.

11. Holds (Reserves)

A. Patrons may reserve items and have them held for pick-up.

B. Patrons may designate one other valid cardholder to pick up their reserved items. Both patrons must be present and fill out a permission form. Items picked up by the designated patron will be checked out on the card of the patron present, not the

patron who initially placed the hold, unless they have the card with them. Patrons designated to pick up holds for another patron will not have access to that patron's library record.

C. Some new items may not be reserved. Some items may be reserved only by Ferndale Area District Library cardholders.

D. Patrons whose cards are expired and patrons whose accounts are blocked or barred may not reserve library material.

E. Parents or legal guardians who have signed their child up for a library card will be able to pick up that child's holds for them. If another parent or legal guardian wishes to be another designated hold retriever for that child, they must come in and have their name added to the application.

F. A one-time courtesy override may be granted.

G. New DVDs (movies) may not be reserved.

H. New adult books, new young adult books, and new CDs (music) may be reserved only by Ferndale cardholders.

I. Patrons may not reserve more than 15 items at any given time.

J. If not picked up, holds are cancelled after 10 days from the date an item is received at the Library.

K. Patrons may reserve items that are on order. If the Library purchases an item requested by a patron, a reserve for that patron will be placed on the item.

L. Multiple copies of items may not be reserved. For book clubs or special events, Library staff will arrange for capturing and holding multiple copies.

M. Patrons are encouraged to provide their email address for more timely and efficient notification of available holds. Patrons are notified of reserves waiting for them by phone, email, text, or regular mail. Phone calls do not specify titles. Patrons may check their account information online to determine what they have reserved and if it is available.

12. Claimed Returned or Never Checked Out

A. Circulation staff will initiate a search for materials claimed returned or never checked out.

B. Borrowing privileges are restricted when the number of claimed return items reaches 5 per patron.

C. Borrowing privileges are not restricted if items are claimed not checked out.

13. Lost or Damaged Items

- A. Once an item has been paid for, refunds will not be issued.
- B. If a library item is lost or in the judgment of the selecting librarian too damaged to be circulated, patrons will be charged for the item's replacement.
- C. The charge for a lost item, or one which is too damaged to be circulated, will be fixed at the replacement cost.
- D. If an item is overdue when lost or returned damaged, no overdue fines are charged in addition to the replacement cost.
- E. Overdue items are assumed lost after 21 days and their status is automatically changed to "lost."
- F. Patrons with unpaid lost items over \$20.00 will be referred to a third party collection agency 21 days after being set to lost, and assessed an additional \$10.00 referral fee.
- G. Patrons that pay for lost items are issued a receipt.
- H. The Library will accept exact replacement items in lieu of the replacement cost charge, plus a processing fee of \$3.00.
- I. Patrons may keep items which are too damaged to be circulated.

Adopted on August 3, 2010

Revised on May 26, 2011

Revised on March 22, 2012

Revised on July 18, 2013

Revised on September 19, 2013

Revised on October 17, 2013

Revised on February 20, 2014

Revised on January 15, 2015

Revised on April 18, 2019

Revised on April 15, 2021

Library Policy D
PUBLIC ACCESS COMPUTER USE

1. Free use of Ferndale Area District Library public access computers is available to any Ferndale Area District Library cardholder whose library card is valid and current.
2. Non-District residents who purchase a Ferndale Area District Library card and whose card is valid and current have the same public access computer privileges as resident cardholders.
3. Persons with valid and current cards from recognized TLN (The Library Network) libraries have the same public access computer privileges as resident cardholders.
4. Non-cardholders or persons not specified by 1-3 above may purchase a temporary public access computer pass for \$1.00 per hour. This pass is valid only on the date purchased.
5. All users of Ferndale Area District Library public access computers are restricted to no more than three (3) hours of use per day.
6. Use of the public access computers is assigned in one (1) hour blocks. If no patrons are on the assigned waiting list for use of a public access computer a patron may continue to use the computer to which he/she was assigned. If patrons are waiting to use a public access computer, a current user whose hour has expired must yield use to a waiting patron.
7. Free public access computer passes will be issued to minor children of valid Ferndale Area District Library cardholders who do not have their own card.
8. Guest passes will be issued to non-cardholders for one session per day on an express computer for fifteen (15) minutes of use.
9. In accordance with the federal Children's Internet Protection Act (CIPA) (Pub. L. 106-554), all library computers are equipped with a technology protection measure to filter and block access to images that are obscene as defined in section 1460 of title 18, United States Code; or child pornography, as defined in section 2256 of title 18, United States Code; or harmful to minors as defined in section 1703, Pub. L. 106-554. It is technically impossible to prevent access to all objectionable resources.
 - A. Filters are not 100% effective and may not filter images that should be blocked, and conversely, may block images that should not be blocked. Designated library staff may, at their discretion, temporarily disable the filter for adult library users for lawful purposes.
 - B. Parents and designated guardians of minor children have the right and the responsibility to direct the use of the Internet by their children. Parents or

designated guardians should personally oversee the use of the Internet and other forms of electronic information by the children in their custody.

C. Users of library computing resources must comply with federal and state laws, Ferndale Area District Library policies, and terms of applicable contracts including software licenses while using library computing resources.

Adopted on September 25, 2008

Revised on June 19, 2014

Revised on January 15, 2015

Library Policy E
COMPUTER AREAS USE

1. Adults

The adult area is reserved for ages 18 and over. Patrons under 18 may use computers if there is an overflow in their section and nobody is waiting for an Adult computer.

2. Young Adults

The YA area is reserved for ages 14 to 17 during hours when school is not in session. During these times, patrons under age 14 and over age 17 may use computers if there is an overflow in their section and nobody is waiting for YA computer.

3. Computer Lab

The lab area is restricted to adults 18 and over, and children with adult supervision.

4. Children

The children's area is restricted to children 13 and under. Children must use the computers in the children's area, unless there is an overflow or they are accompanied by an adult.

Adopted on September 10, 2010

Library Policy F
UNATTENDED AND DISRUPTIVE CHILDREN

The safety of children in the Ferndale Area District Library is a serious concern of the Library staff. However, the responsibility for the safety and behavior of children in the Library rests with the parent, guardian, or responsible childcare provider and not with library staff.

1. Children under the age of ten (10) must be attended and within close proximity or visual contact by a parent, guardian, or responsible child care provider while in the Ferndale Area District Library. Disruptive minor children will be asked to leave for the day after receiving one warning. Children under the age of ten (10) attending a Library program must be brought into the building by a parent or responsible child care provider who must remain in the building until the conclusion of the program when they again resume supervision of their charge. Children under the age of five (5) must be attended at all times unless attending a Library program. It is not the Library's intention to seek out unattended children but rather to have a reasoned response prepared as problems present themselves.

2. This policy on unattended and disruptive children addresses minor children in order to provide staff with some discretion regarding procedure. It is anticipated that not all children under the age of eighteen (18) will need the same kind of attention specified here, but there may be circumstances related to the child or the child's behavior that warrant these procedures regardless of the child's age.

A. Minor child left unattended

- i. Children left unattended are often frightened and crying and should be comforted by the staff.
- ii. If it is determined that a child is lost or left unattended, a staff member should obtain the child's name and the name of a parent, guardian or caregiver and attempt to locate the latter within the building.
- iii. If the parent cannot be located within the building, the staff member shall attempt to contact the parent through searching the library's records, phone book, city directories, etc.
- iv. If a parent, guardian, or caregiver cannot be located Library staff shall call the police who will assume responsibility for the child.

B. Minor child left unattended at closing

- i. If the parent is not found in the building, a staff member should stay with the child and attempt to locate the parent, guardian or caregiver through searching the Library's records, phone book, city directories, etc. If the parent, guardian, or caregiver arrives within 15 minutes of closing, they will be informed of the Library's policy and asked that the child be picked up in a timely manner in the future.
- ii. If a parent, guardian, or caregiver has not been located within 15 minutes of closing, Library staff shall call the police, who will assume responsibility for the child.
- iii. Under no circumstance shall a staff member leave a child alone outside after closing or take them in their car.

3. Disruptive Behavior

A. Disruptive Minor Children (Under Ten Years of Age)

- i. Minor children who are misbehaving or requiring constant attention will be asked by staff to correct their behavior.
- ii. If the disruptive behavior continues and the child's parent, guardian, or caregiver is present in the Library, a staff member should inform this person and request that this person take responsibility for the child's behavior.
- iii. If the parent, guardian, or caregiver refuses or is unable to correct the behavior of the child, they will be asked to leave the Library for the day.
- iv. If the child's parent, guardian, or caregiver is not present in the building, and the child is under the age of ten (10), the staff member shall attempt to contact the parent through searching the Library's records, phone book, city directories, etc. and request that the parent, guardian, or caregiver come to the Library and retrieve the child.
- v. If a parent, guardian, or caregiver of a child under ten (10) can not be located, Library staff shall call the police, who will assume responsibility for the child.

B. Disruptive Minor Children (Over Ten Years of Age)

- i. If a disruptive child is ten (10) years of age or older, staff shall inform the young person that he/she is causing a disturbance and be issued a warning. If the disruptive behavior recurs or persists, the child will be asked to leave the Library for the day.
- ii. If a parent, guardian, or caregiver is present, the staff will explain the circumstances of the problem and ask this person to take responsibility for the child's behavior.
- iii. If a parent, guardian, or caregiver is not present, and the child must be asked to leave the Library, the former will be determined and contacted. When contacted, he/she shall be told that the child is being disruptive, shall be reminded of the Library's policy, and shall be told that he/she must pick up the child.
- iv. If the parent, guardian, or caregiver cannot be contacted or if the Library is closing, the police will be called upon to take responsibility for the child.

C. Persistent Misbehavior

If children are persistently and repetitively disruptive, an attempt shall be made to inform him/her of the Library's policy and expectations regarding his/her responsibilities. Persistent and repetitive disruption may result in longer term denial of Library access and services.

Adopted on February 24, 2011

Revised on January 15, 2015

Library Policy G

PATRON BEHAVIOR

Library patrons are expected to conduct themselves in a manner which enable their fellow patrons, staff, and themselves to accomplish their intended Library tasks in a safe, reasonably pleasant, and orderly atmosphere.

1. Staff will take appropriate action when patron behavior causes disruption or unreasonable interference in the delivery of services. Staff respects, and will respond to, complaints from patrons and will exercise professional judgment in taking action on a case-by-case basis.

2. According to Michigan statutes, the Board may exclude from the use of the Library any all persons who shall willfully violate such reasonable rules and regulations as the Board may adopt (MCL 397.206). Such exclusions from this Library shall occur on the orders of the Director or Director's designee. In this document, "withholding of library privileges" is defined as meaning that an individual may or may not enter or use the Library.

3. For the comfort and safety of patrons, volunteers, and staff, and the protection of Library property, the following actions are examples of conduct not allowed on Library property:

A. Engaging in any activity in violation of federal, state, local, or other applicable law, or Library policy.

B. Carrying guns, pistols, firearms or other weapons, including but not limited to knives, clubs or razors, is prohibited, except where carrying such guns, pistols, or firearms is (1) specifically permitted by law and/or (2) exempt from local regulation by law. Staff shall have discretion to determine what is a potential weapon.

C. Being under the influence of alcohol or illegal drugs, and selling, using, or possessing alcohol or illegal drugs.

D. Verbally or physically threatening, or harassing other patrons, volunteers, or staff; including stalking, staring, lurking, offensive touching, and obscene acts such as sex acts and indecent exposure.

E. Soliciting or conducting surveys not authorized by the Library.

F. Stealing, damaging, altering, or inappropriate use of Library property in Library facilities or on Library grounds, including computer hardware and software, printers, copiers, phones, and other equipment.

G. Trespassing in non-public areas, being in the Library without

permission of an authorized Library employee before or after Library operating hours, or camping on Library grounds.

H. Fighting, or challenging to fight, running, pushing, shoving, or throwing things.

I. Creating disruptive noises such as loud talking, screaming, or banging on computer keyboards.

J. Gambling and group activities which are disruptive to the Library environment.

K. Using audible devices without headphones or with headphones set at a volume that disturbs others. Using cell phones, pagers, and other communication devices in a manner that disturbs others. Cell phone and pager audible rings must be turned off.

L. Littering.

M. Smoking, chewing, or other tobacco use in the Library facilities.

N. Entering the library barefooted, without a shirt, with offensive body odor or personal hygiene, or being otherwise attired so as to be, in the judgment of the staff, disruptive the Library environment.

O. Consuming food or beverages in public areas of the Library, including the restrooms (except for water in closed containers as permitted by authorized Library employees, drinking fountain use, baby bottles, nursing, and locations where use is authorized).

P. Bringing in garbage, articles with a foul odor, or articles which, alone or in aggregate, impede the use of the Library by other users.

Q. Using wheeled devices in library property or on Library grounds, except in designated areas, including: skateboarding; roller skating; bicycling; scooters, and shopping carts. Exceptions are wheelchairs, walkers, and strollers.

R. Lying down or sleeping in the restrooms or on any floor, couch, table, or seat in the Library, or by blocking the aisles, exits, or entrances by sitting or lying down in them.

S. Neglecting to provide proper supervision of children.

T. Bringing pets or animals, other than service animals necessary for disabilities, into the Library, except as authorized by the Director.

4 All bags and other articles are subject to inspection by security and other authorized personnel. The Library reserves the right to limit the size and number of items brought into the Library.

5 Enforcement of these rules will be conducted in a fair and reasonable

manner. Library staff will intervene to stop prohibited activities and behaviors. If necessary, staff will call the City of Ferndale police for assistance. Failure to comply with the Library's established rules, regulations, and policies could result in removal from the premises and expulsion from the Library for a period of one day to one year, or in arrest or prosecution. Violations could also result in the restriction and/or termination of Library privileges, including the use of library computers and other equipment. Expulsion for more than one week may be appealed in writing to the Board.

Adopted on February 24, 2011

Revised on May 16, 2013

Revised on January 15, 2015

Library Policy H Library Grounds

The Library grounds are open for use by patrons and the public during normal library hours subject to the following rules and all applicable Library policies, including the Patron Behavior Policy:

1. No person may use or set up a table, stand, or similar structure on Library property.
2. No person may camp overnight on the Library Property.
3. Signs are not permitted on Library Property.

The restrictions of this policy do not apply to Library sponsored or co-sponsored events or to events held during a local festival that are approved by the Library in its sole discretion pursuant to a contract.

Adopted on May 26, 2011

Revised on January 15, 2015

Revised on October 15, 2015

Revised on September 16, 2021

Library Policy I

PUBLIC BULLETIN BOARD POLICY

1. Purpose

In its role as a center of community information, the Ferndale Area District Library supports the free flow of information and exchange of ideas. The Library therefore provides bulletin boards in its facilities for individuals and groups in the community to announce events and services that are of general and current interest. Notices may only be posted on designated bulletin boards. Notices may be posted within limitations of space and according to the following guidelines. Notices not complying with these guidelines and those listed below will be removed.

2. Use

The community bulletin boards at the Ferndale Area District Library may be used for posting the following types of information:

A. Materials from Ferndale Area District Library, the Friends of the Ferndale Library, and the City of Ferndale.

B. Postings of forthcoming or continuing educational, social, civic, charitable, cultural, or recreational activities.

C. Flyers, brochures, announcements, or schedules by nonprofit organizations, groups, or agencies, or by any federal, state, or local government agency pertaining to services provided by the government to citizens.

D. Materials announcing community services and volunteer opportunities.

E. Items that do not meet the above criteria, such as commercial, personal, or election or campaign materials, will not be posted.

F. Designated Library staff must approve all notices, posters, and brochures.

G. Only designated staff may post and/or remove notices. Once notices are removed, they are discarded or recycled.

H. Notices posted or left on tables without authorization will be removed

and discarded immediately.

I. Oversized posters may be rejected because of space limitations.

J. If the bulletin board is crowded, the Library reserves the right to select notices for events with the widest appeal.

K. The Ferndale Area District Library does not assume responsibility for materials damaged or stolen.

L. Notices advocating fraud or unlawful actions or notices the Library considers to be inappropriate are not permitted.

M. Acceptance of materials for display does not imply the Library's endorsement of a group or organization, its policies or beliefs.

Adopted on September 22, 2011

Revised on January 15, 2015

Library Policy J
PUBLIC USE OF THE LIBRARY PHONE

1. The Library telephone is maintained by the Ferndale Area District Library for Library business only. There are situations where staff members may allow the public to use the Library telephone.

2. Valid Reasons for allowing use of the Library phone by the public include:
 - A. An emergency situation, such as the need for medical attention or the need for an ambulance or police.
 - B. Contacting parents or family members of patrons to inform them of injury or illness.
 - C. Children calling to be picked up from the Library or to inform parent/guardian of the child's location.
 - D. Calling for transportation or checking in with monitoring officials.
 - E. Any situation which, in the judgment of the staff, is best resolved by initiating a phone call.

3. The Library telephone may not be used for personal business of the patron. This includes but is not limited to:
 - A. Using the telephone to place an order for personal items..
 - B. Dialing toll-free numbers or long-distance phone calls to other businesses, friends, or relatives.
 - C. Calls that are of personal in nature.
 - D. Calls to conduct business.

Adopted on October 25, 2012

Revised on January 15, 2015

Library Policy K

NARCAN POLICY or NALOXONE POLICY or OPIOID ANTAGONIST POLICY

1. In response to the growing rise in opioid overdose-related deaths, the Ferndale Area District Library will provide ready access for library staff to naloxone, also known as NARCAN. When administered in a timely manner, naloxone displaces opioids from receptor sites in the brain and reverses respiratory depression that usually is the cause of overdose deaths. Naloxone is an appropriate response for all opioid overdose events, although multiple doses may be required if large amounts or potent opioids are ingested. There are no clinical effects produced if naloxone is given to individuals who are not opioid intoxicated or opioid dependent.

2. The Administration of Opioid Antagonists Act, Act 39 of 2019, effective September 24, 2019, limits the civil and criminal liability of libraries and library staff. The library may purchase and distribute opioid antagonists to staff to administer to individuals in accordance with this act if the following apply:

- The employee or agent has been trained in the proper administration of that opioid antagonist.
- The employee or agent has reason to believe that the individual is experiencing an opioid-related overdose.

3. The Library Director will be responsible for arranging and documenting training for staff. This may be coordinated through the Ferndale Police Department or other organizations such as the Oakland Community Health Network or the Alliance of Coalitions for Healthy Communities.

4. The Library Director will purchase and maintain the supply of FDA-approved nasal naloxone. Each service desk will have 2 pre-filled, ready-to-use doses of Narcan Nasal Spray. Any additional doses will remain in locked storage. Treatment information sheets will be available at the service desks to give to individuals after Narcan has been administered.

5. Individuals who may require naloxone will be those who exhibit SIGN AND SYMPTOMS OF OPIOID OVERDOSE, which include:

- Unresponsive or unconscious individuals
- Not breathing or slow/shallow respirations
- Snoring or gurgling sounds (due to partial upper airway obstruction)
- Blue lips and/or nail beds

- Pinpoint pupils
- Clammy skin

6. According to the State of Michigan Department of Health and Human Services, the five steps for responding to an opioid overdose with naloxone are:

- **Call for help (dial 911).** An opioid overdose needs immediate medical attention so dial 911 immediately. The caller just has to say “Someone is unresponsive and not breathing” and give a clear address.
- **Check for signs of an overdose.** Use the signs listed in part 5.
- **Administer Naloxone.** Any person who presents with signs of opioid overdose, or when this is suspected, should be administered an FDA-approved formulation of naloxone.
- **Support the person’s breathing.** Ventilatory (breathing) support is an important intervention and may be life-saving on its own. Rescue breathing can be very effective in supporting respiration.
- **Monitor the person’s response, additional doses may be needed.** If the person overdosing does not respond within 2 to 3 minutes after administering a dose of naloxone, administer a second dose of naloxone. Regardless of response, remain with the individual to monitor for recurrence of signs and symptoms, particularly decreased breathing, of opioid overdose until emergency personnel arrive. Follow the instructions of the dispatcher.

7. After the event is over, an incident report should be completed in a timely manner and submitted to the Library Director.

Adopted on September 19, 2019