

Rauchholz Memorial Library Policy

1140 N Hemlock Rd
Hemlock MI 48626

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LIBRARY NAME

Mary C. Rauchholz founded the Library as the Richland Township Library in 1942, under Michigan Act 164 of 1877. The Library was renamed the Rauchholz Memorial Library in 1968 after her death.

MISSION STATEMENT

The Rauchholz Memorial Library is open for specific and designated civic, educational and cultural uses, including reading, studying, writing, participating in scheduled Library programs, and using Library materials.

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ADMINISTRATION AND OPERATION

I. BORROWING PRIVILEGES

An individual residing, owning property and/or a business in Richland Township, Saginaw County, or any of the areas that contract with the Library for service are eligible for a library card. By signing the form or accepting the Library Card, the person (or parent or guardian for minors under the age of 18), agrees to and acknowledges that they are subject to the policies and procures of the Library, which may be amended from time to time. Library cards are valid for a period of one (1) year.

A guest patron is any individual that does not reside or own property in the Township of Richland (Saginaw County) or does not reside in a community that contract with the Rauchholz Memorial Library. All guest patrons will have to purchase an annual guest card in the amount of \$25.00 for an individual and \$50.00 for a family (defined as two named cardholders living at the same address and their dependent children under the age of 18). All guest cards shall be effective from one year beginning at the date of payment. The guest card will grant patrons the privilege of checking out materials and use of Internet; however, no interlibrary loans or OverDrive download (ebooks) would be permitted.

Library cards will be issued after the patron (or parent/guardian for children under 18) shows identification with a current mailing address. Children under 18 must have a parent sign the "Release of Minor Child's Library Records" form as the parent/guardian is responsible for fines and damaged materials. By signing the form, the parent or legal guardian agrees to be liable for payment for or return of the materials identified in that library record.

Replacement cards will be charged a fee of \$2.00.

OVERDUES AND DAMAGES

The loan period is twenty-one (21) days. Materials may be renewed three (3) times and may be renewed unless the material is on hold for another patron. Overdue fines will be charged as follows:

1. Books, magazines, audiobooks, and music cd are \$.10 per day. There is a maximum fine of \$2.00 per item.
2. DVDs are charged a fine of \$.50 per day. There is a maximum fine of \$5.00 per DVD.

These fines may be adjusted at the discretion of the Library Director. All Library privileges will be denied those patrons owing fines of \$5.00 or more or until the cost of replacement, if applicable, is paid.

Materials lost or damaged shall be the responsibility of the patron or parent/guardian who signed the "Release of Minor Child's Library Records" form. The patron shall be billed for the lost or damaged item. A Library patron may appeal in writing to the Rauchholz Memorial Library Board within thirty (30) days of any action that was taken by the Library staff. This decision of the Library Board is final.

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RELEASE OF MINOR CHILD'S LIBRARY RECORDS

Rauchholz Memorial Library

Under section 3 of the Michigan Library Privacy Act, MCL 397.601 et seq., a library may not release minor child's library records unless the parent or legal guardian of the minor child completes and signs this form.

Name of Minor Child _____

Birth date of Minor Child _____

I hereby declare that:

1. I am the mother/father/legal guardian of the above named minor child; and
2. I accept full responsibility for the return of library materials checked out by the above named child, as well as liability for payment of the child's overdue fines and lost or damaged materials; and
3. I give consent for the release of the child's library record to **MYSELF**

Signature _____

Date _____

Witness _____

Library employee signature

PATRON BEHAVIOR POLICY

I. Introduction.

The Rauchholz Memorial Library is open for specific and designated civic, educational and cultural uses, including reading, studying, writing, participating in scheduled Library programs, and using Library materials. In order to provide resources and services to all people who visit the Library facilities in an atmosphere of courtesy, respect, and excellent service, the Library Board of Trustees has adopted this Patron Behavior Policy. The purpose of the Library Patron Behavior Policy is to assist the Library in fulfilling its mission as a community resource enriching life, stimulating intellectual curiosity, fostering literacy, and encouraging an informed citizenry.

The following rules of conduct shall apply to all buildings – interior and exterior – and all grounds controlled and operated by the Library and to all persons entering in or on the premises, unless otherwise specified.

II. Rules for a Safe Environment.

- A. Violations of Law. Committing or attempting to commit an activity in violation of federal, state, or local law, ordinance or regulation is prohibited.
- B. Weapons. Carrying weapons, except as specifically permitted and exempt from local regulation by law, is prohibited.
- C. Alcohol; Drugs. Possessing, selling, distributing, or consuming any alcoholic or intoxicating beverage, illegal drug, or drug paraphernalia is prohibited.
- D. Under the Influence. Persons noticeably under the influence of any controlled substance or alcoholic or intoxicating liquor are not allowed on Library property.
- E. Use of Library Buildings and Grounds.
 - 1. Use of skateboards, rollerblades, roller skates, or other wheeled form of recreational equipment is not allowed in the Library or on Library premises.
 - 2. Library patrons must park bicycles or other vehicles only in authorized areas.
 - 3. All doors and entrances must remain obstacle-free.
 - 4. Animals or personal transport vehicles are not permitted in the Library other than those required by persons with disabilities, those used in law enforcement or for Library programming.

5. Smoking, including the use of e-cigarettes, inside Library facilities is prohibited. Smoking, including the use of e-cigarettes, is also prohibited within 20 feet of the building entrances.
6. Shirts and shoes are required for health reasons and must be worn at all times inside the Library and on Library property.
7. The use of incendiary devices, such as candles, matches, and lighters, is prohibited inside the Library.
8. Patrons shall not be permitted in any areas designated as “staff only” or in the basement unless otherwise permitted by the Library Director.
9. School groups using the Library must have approval of the Library Director and must have a teacher and other appropriate staff present to ensure that the students use the Library in conformance with these rules.
10. Patrons may not use the Library's telephone.

III. Rules for Personal Behavior.

- A. Personal Property. Personal property brought into the Library is subject to the following:
 1. The Library personnel may limit the number of parcels carried into the Library.
 2. The Library is not responsible for personal belongings left unattended.
 3. The Library does not guarantee storage for personal property.
 4. Personal possessions must not take up seating or space if needed by others.
- B. Food and Beverages. Food and drink is prohibited inside of the Library building.
- C. Unauthorized Use. Patrons must leave the Library promptly at closing time. Further, any patron whose privileges to use the Library have been denied may not enter the Library. Any patron whose privileges have been limited may not use the Library in any manner that conflicts with those limits placed on the patron by the Director, his or her designee, or the Library Board.
- D. Engaging in Proper Library Activities. Patrons shall be engaged in activities associated with the use of the Library while in the building. Patrons not engaged in reading, studying, writing, participating in scheduled Library programs, and using Library materials shall be required to leave the building.

- E. Considerate Use. The following behavior is prohibited in the Library and in the Library Building.
1. Spitting;
 2. Running;
 3. Putting feet or legs on furniture;
 4. Using obscene or threatening language or gestures.
- F. Panhandling or Soliciting. Panhandling or soliciting Library staff or patrons for money, products, or services inside the Library or on Library property is prohibited. Sales of products or services that are incidental to Library programming may be permitted if approved in advance by the Library Director.
- G. Interference with Staff. Patrons may not interfere with the staff's performance of duties in the Library or on Library property. This includes engaging in conversation or behavior that monopolizes or forces the attention of staff for an inappropriate period of time, inappropriate personal comments, sexual advances, or physical and/or verbal harassment.
- H. Campaigning and Similar Activities. Campaigning, petitioning, interviewing, survey-taking, pamphleteering, and canvassing are prohibited in the Library building.
- I. Sales. Selling merchandise on Library property without prior permission from the Director is prohibited.
- J. Distributions; Postings. Distributing or posting printed materials/literature on Library property not in accordance with Library policy is prohibited.
- K. Restrooms. Misuse of restrooms, including laundering, sleeping, shaving, hair cutting or trimming, bathing, and sexual activity is prohibited.
- L. Harassment. Staring, photographing, following, stalking, harassing, or threatening Library users or staff while in the Library or on Library property so that it interferes with the Library patrons' use of the Library or the ability of the staff person to do his or her job is prohibited.
- M. Loud Noise. Producing or allowing any loud, unreasonable, or disturbing noises that interfere with other patrons use of the Library or which can be reasonably expected to disturb other persons, including those from electronic, entertainment, and communication devices, such as cell phones, headphones, and radio is prohibited.

- N. Body Odor. Offensive body odor due to poor personal hygiene, overpowering perfume, or cologne that causes a nuisance is prohibited.
- O. Cell Phones. Cell phone use is prohibited in the Library. Those patrons desiring to use cell phones must use the phones outside of the Library buildings. Cell phones shall be placed on silent mode upon entering the Library.

IV. Rules for the Use and Preservation of Library Materials and Property.

- A. Care of Library Property. Patrons must not deface, vandalize, or improperly remove Library materials, equipment, furniture, or buildings.
- B. Internet Use. Patrons must abide by established time limitations and all other provisions of the Library Internet Use Policy.
- C. Equipment. Library phones and staff computers are for staff use only.
- D. Authorized Lending. Library materials may only be removed from premises with authorization through established lending procedures.
- E. Restrooms. Library materials may not be taken into restrooms.

V. Disciplinary Process for Library Facilities.

The Library Director or the Director's designee may restrict access to Library facilities with immediate dismissal of 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.

- A. 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.
- B. Violation of the Policy – Suspension of Privileges: Unless otherwise provided in this Policy, (see Section C below), the Library shall handle violations as follows:
 - 1. *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.

2. *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.
- C. 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:
1. *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.
 2. *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.
- D. Reinstatement: The patron whose privileges have been limited or revoked shall attend a meeting with the Director or the Director's designee to review the Library Patron Behavior Policy before their privileges may be reinstated.

VII. Right of Appeal.

Patrons may appeal a decision to limit or revoke privileges by sending a written appeal to the Library Board within 10 working days of the date the privileges were revoked or limited. The appeal should be sent to the President of the Library Board. The decision of the Library Board is final.

INCIDENT REPORT FORM

Rauchholz Memorial Library

Date of incident_____

Time of incident_____

Information regarding the offender:

Name_____

Phone_____

Address_____

City_____ State_____ Zip_____

Location of incident_____

Offense ☐ First

☐ Second

☐ Third

Has Library card: ☐ Yes

☐ No

Other witnesses, complainants or persons reporting the incident (name, address, and phone):

Description of incident: (use back if needed)

Action taken by staff:

Staff member completing form_____

CHILDREN IN THE LIBRARY POLICY

I. Purpose.

Children are welcome and encouraged to use the Library at all times. The Library Board adopts the following policy with regard to children at the Library.

II. Rules and Regulations.

A. All patrons, including children (defined as minors under the age of 18), are expected to comply with the Library's policies, including its Patron Behavior Policy. Parents, guardians or responsible caregivers shall review and be fully aware of all Library policies governing children, particularly the Internet Use Policy.

B. Parents, guardians and caregivers are responsible for the behavior and supervision of their children regardless of age while in the Library or on Library property.

C. Library Staff will not be expected to supervise or monitor children's behavior.

D. Children under the age of 10 must be attended by a parent, guardian or responsible caregiver 12 years of age or older. The parent, guardian or responsible caregiver shall remain in the Library at all times. If a child under the age of 10 is attending a Library sponsored program on the premises, the parent, a guardian, or responsible caregiver is to remain on the premises for the duration of the program.

E. Children ages 3 and under must be within the visual contact of a parent, guardian or responsible caregiver at all times, including during programs and visits to the restroom.

F. Staff will not be responsible if unattended children leave the library premises alone or with other persons. Further, staff will not be responsible for children 10 years or older who may be asked to leave the Library if the child is in violation of Library policy.

G. We request that all unattended children be picked up at least ten minutes before closing time. If a child is left after closing time or if a child under the age of 10 is left unattended at the Library, the police will be called. Under no circumstance will a Staff member transport a child to another location.

III. Violations/Enforcement

Any person violating this policy shall be subject to the same enforcement and violations provisions contained in the Patron Behavior Policy.

COMPUTER AND INTERNET USE POLICY

I. General Statements Regarding Internet.

- A. Internet Access. The Rauchholz Memorial Library provides access to a broad range of information resources, including those available through the Internet. Access to the Internet enables the Library to expand its information services significantly. This policy applies to both the Library owned computers and wireless access available at the Library.
- B. Validity of Information. The Internet offers access to a wealth of information and Internet sites including useful ideas, information and opinions from around the world. However, not all sources on the Internet provide information that is accurate, complete or legal. Internet users will need to evaluate for themselves the validity of the information found.
- C. Library does not Endorse Information on Internet. The Library provides a home site on its public computers pointing to a variety of quality Internet sites. However, because the Internet is a vast and unregulated information network, it also enables access to information, ideas and commentary beyond the confines of the Library's mission, selection criteria, and collection development policies. The provision of access does not mean or imply that the Library endorses or sanctions the content or point of view of any of the information or commentary that may be found on the Internet.
- D. View Internet at Own Risk. The Internet may contain information that is controversial, sexually explicit or offensive. Users are cautioned that ideas, points of view and images can be found on the Internet that are controversial, divergent and/or inflammatory. Because of this and the fact that access points on the Internet can and do change often, rapidly and unpredictably, the Library cannot protect individuals from information and images which they might find offensive, disturbing or inaccurate. Library patrons use the Internet at their own risk. Parents or guardians of minor children are responsible for their child's use of the Internet through the Library's connection as stated more fully below.
- E. No Liability. The Library assumes no responsibility for any damages, direct or indirect, arising from its connections to the Internet.

II. Nature of the Public Library Setting.

- A. Respect Others. Because Library users of all ages, backgrounds and sensibilities are using the computers, Library patrons are asked to be sensitive to other's values and beliefs when accessing potentially controversial information and images.

- B. Use with Caution of Risks. Users are cautioned that, because security in an electronic environment such as the Internet cannot be guaranteed, all transactions, files and communications are vulnerable to unauthorized access and use.

III. Internet Filtering.

A. Patrons 18 Years of Age or Older.

1. *Library Terminals.* In order to comply with the requirements of the Children's Internet Protection Act and Michigan's Public Act 212 of 2000 four (4) computer terminals are filtered from receiving obscenity, child pornography and material that is deemed harmful to minors. Only patrons 18 years of age or older may use the unfiltered terminals. Minors under the age of 18 are required to follow the provisions of Subsection III B. below.

2. *Wireless Access.* Wireless access is unfiltered. Patrons 18 years of age or older must show proof of age and obtain a password from Library staff.

B. Patrons Under 18 Years of Age, 2000 PA 212.

1. *Responsibility of Parents and Legal Guardians.* As with other materials in the Library's collection, it is the Library's policy that parents or legal guardians are responsible for deciding which Library resources are appropriate for their children. The Library urges parents and guardians to discuss Internet use with their children and to monitor their use of this educational tool.

2. Access for Patrons Under 18 years of Age.

a. Filtered Terminals. Patrons under 18 years of age wishing to access the Library's filtered workstations must use one of the Library's four (4) filtered terminals. A filtered terminal means the computer has a program installed that is designed to restrict minors from receiving obscene material or sexually explicit material that is harmful to minors. Parents or guardians should be aware that social networking sites (Facebook, MySpace, Twitter, etc.) are available through the filtered access.

b. Internet Access. Wireless access is unfiltered. Patrons under 18 years of age wishing to access the Library's wireless Internet must have a parent or guardian obtain the password. Patrons under 18 years of age must be accompanied by a parent or guardian who is sitting at the computer receiving wireless access with that child at all times.

- c. Unfiltered Terminals. Patrons under 18 years of age who desire to use the Library's unfiltered terminals must be accompanied by a parent or guardian who is sitting at the terminal with that child at all times.

IV. Procedure for Use.

- A. Reservation/Time Limits. If a User wishes to use the Internet station he or she must first check in at the Circulation Desk to reserve a time. The User may sign up to use the Internet station for periods of only 30 minutes at a time. Use of the Internet stations is available on a first-come-first-served basis, as shown on the sign-up sheets at the Circulation Desk. If no one is waiting, the User may use the terminal for additional ½ hour increments until another User signs up to use the terminal.
- B. Authorization Form. If this is your first time use of the Internet at this Library, you must read the Computer and Internet Policy (available from the Circulation Desk). If you are under 18 years of age, your parent or legal guardian must provide the Circulation Desk with valid identification, and sign the Internet Access Authorization Form on behalf of the minor child.
- C. Staff Assistance. Library staff provides limited assistance for basic start-up procedures. Several circulating books on Web searching are available.

V. Acceptable Use.

All users of the Library's Internet connection and workstations are expected to use this resource in a responsible and courteous manner, and to follow all rules and procedures as established in this policy.

- A. Lawful Use. The Library Internet connection and workstations shall be used in a lawful manner. The Library's Internet and workstations cannot be used for any fraudulent or unlawful purpose prohibited under any applicable federal, state or local law, including but not limited to accessing material that can be classified as obscene or child pornography.
- B. Intellectual Property. Users must respect intellectual property rights and obey the copyright laws of the United States and all other intellectual property rights. Responsibility for any consequences of copyright infringement lies with the user. The Library expressly disclaims any liability or responsibility resulting from such use.
- C. Use Must Not be Harmful to Minors. Michigan law prohibits users from allowing minors access to sexually explicit materials harmful to minors. Internet Users shall not permit any minor to view sexually explicit material or any other material deemed harmful to minors.

- D. Compliance with Code of Behavior. The same rules apply to the use of the Internet as with the use of any other Library materials. The Library has adopted a Patron Behavior Policy. All Internet Users must comply with the Library's Patron Behavior Policy, which shall be posted in the Library.
- E. Privacy. Users must respect the privacy of others by not misrepresenting oneself as another user; by not attempting to modify or gain access to files, passwords or data belonging to others; and by not seeking disallowed access to any computer system via the Internet.
- F. Time Limit. No patron may use the Library's Internet access more than once in violation of this Policy. Failure to leave a computer terminal upon the expiration of the allotted time is a violation of this Policy.
- G. Reimbursement. The User may receive up to three (3) sheets of printing per day. After the initial three (3) sheets, the User is responsible for reimbursements for all printing charges. The User shall reimburse the Library ten (\$.10) cents a page for printing.
- H. Personal Software Prohibited. The Users shall refrain from use of personal software, the attachment of equipment to the Library's computers or networks or the modification of any operating system or network configuration. The User shall also refrain from downloading/uploading files to/from the Library's computers.
- I. System Modifications. Users are not permitted to change the security setup, operating systems, the network configuration or any other configuration of any Library computer workstation without authorization.
- J. Purpose; Prohibited Uses. The Library's Internet resources should be used for educational, informational and recreational purposes only. The Library's Internet Access shall not be used for personal profit or commercial activities, including the sale of goods and services or fund raising. The Library Internet is intended for information gathering only.
- K. Damage. The User shall be responsible for repayment of any costs to the Library for damage to the computer terminals or system.
- L. Terminal Use. No more than two (2) Users may sit at a terminal.
- M. Chat Rooms; Instant Messaging. The use of chat rooms and instant messaging is prohibited.

VI. Violations of Internet Use Policy.

The Library Director or the Director's designee may restrict access to Library facilities by (1) terminating or limiting computer, internet access or Library facilities; (2) immediately dismissing the patron from the premises; (3) suspending the patron's access to library facilities for a set period of time; or (4) by denying access to specific services and/or programs pursuant to this Policy. If necessary, the local police may be called to intervene.

- A. 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.
- B. Violation of the Policy – Suspension of Privileges. Unless otherwise provided in this Policy, (See Section C below), the Library shall handle violations as follows:
 - 1. *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.
 - 2. *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.
- C. Violations that Affect Safety and Security. Violations involving violations of law (including child pornography and allowing minors to view sexually explicit or other material deemed harmful to minors), violence, threatening behaviors, sexual harassment, vandalism, theft or attempted theft, sexual misconduct or any behavior that threatens the safety and security of staff and/or patrons shall be handled as follows:
 - 1. *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.
 - 2. *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.

- D. Reinstatement. The patron whose privileges have been limited or revoked shall attend a meeting with the Director or the Director's designee to review the Library Patron Behavior Policy before their privileges may be reinstated.
- E. Civil or Criminal Prosecution. Illegal acts involving the Library's Internet access service may be subject to civil or criminal prosecution.

VII. Right of Appeal.

Patrons may appeal a decision to limit or revoke privileges by sending a written appeal to the Library Board within 10 working days of the date the privileges were revoked or limited. The appeal should be sent to the President of the Library Board. The decision of the Library Board is final.

VIII. Staff Assistance.

Staff may assist Library users in getting started on the Internet. However, the Library cannot guarantee that Internet-trained staff will be available to assist users at all times the Library is open. Because of the many different applications available on the Internet, staff may not be able to provide specialized or technical knowledge about a particular application.

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COMPUTER/INTERNET INCIDENT REPORT FORM
Rauchholz Memorial Library

Date of incident_____ Time of incident_____

Information regarding the offender:

Name_____ Phone_____

Address_____

City_____ State_____ Zip_____

Location of incident_____

Offense ☐ First ☐ Second ☐ Third

Does patron have a card: ☐ Yes ☐ No

Other witnesses, complainants or persons reporting the incident (name, address, and phone):

Description of incident: (use back if needed)

Action taken by staff:

Staff member completing form_____

MATERIAL SELECTION POLICY

I. Purpose:

The purpose of the Rauchholz Memorial Library Material Selection Policy is to set broad guidelines in order to assemble, preserve, organize, administer and promote the use of a wide range of communication media and to inform the public about the principles upon which selections are made. These functions are undertaken to further the objectives of the Library.

II. Definitions:

The term “Library Materials” means books, magazines, DVDs, CDs or other synonyms as they may occur in the policy have the widest possible meaning. This statement of policy applies to all Library Materials in the collection, including adult, young adult and juvenile. However, this policy and the term “Library Materials” does not apply to Internet sites available through the Library's computers or Internet collection. The Library has no control over the content of the Internet. Please see the Internet Use Policy for any issues related to computer or Internet Use.

The term “selection” refers to the decision to add, retain or withdraw material in the collection. It does not refer to reader guidance.

III. Goals of Materials Selection:

- A. To meet the individual's need for information through maintenance of a well-balanced and broad collection of materials for information, reference and research.
- B. To help the individual attain maximum self-development through life-long intellectual and cultural growth.
- C. To support the democratic process by providing materials for the education and enlightenment of the community.
- D. To assist individuals in their pursuit of occupational activity and practical affairs.
- E. To provide diverse recreational experience for individuals and groups.
- F. To assist institutions of formal education with services that will assist individual study.
- G. To maintain Michigan and local history collections.

IV. Responsibility for Selection:

The responsibility for selection lies with the professional staff of the Library. That staff operates within the areas of service to children, young adults and adults. Both the general public and staff

members may recommend materials for consideration. The ultimate responsibility for book selection, however, rests with the Library Director who operates within the framework of policies determined by the Library Board of Trustees. The Director shall be responsible for ensuring that the funds budgeted for collection development are allocated appropriately depending upon the needs of the Library and the fulfillment of the above Goals of Material Selection.

V. General Principles:

- A. Selection of Library Materials is based on the relationship of such work to the needs, interests and demands of the community. Basic to this policy is the Library Bill of Rights and the Intellectual Freedom Statement of the American Library Association to which this Library subscribes.

Selection is not made on the basis of anticipated approval or disapproval by patrons or Library users, but solely on the merits of a work, without regard to the race, nationality, political or religious view of the writer.

- B. Responsibility for the reading matter of children rests with their parents or legal guardians. Selection shall not be inhibited solely by the possibility that books may inadvertently come into the possession of children.

The Library respects each individual parent's right to supervise his children's choice of reading materials. However, the Library does not have the right to act in loco parentis (in place of the parent). Therefore, a parent who chooses to restrict the materials his children select must accompany those children when they use the collection in order to impose those restrictions.

- C. Library Material selection does not indicate endorsement of the material by the Library or the Board of Trustees. Further, Library Materials will not be marked or identified to show approval or disapproval of contents, and no catalogued book or other item will be sequestered, except for the express purpose of protecting it from injury or theft. The use of rare and scholarly items of great value may be controlled to the extent required to preserve them from harm, but no further.
- D. It is the responsibility of the Library to provide circulating, reference and research materials for the general public and the student based on the services it is expected to perform.

VI. Specific Principles for Selection:

The following principles, individually or collectively, will prevail in the selection of all Library Materials. The total collection will attempt to represent opposing points of view.

- Contemporary significance or permanent value
- Accuracy
- Lack of bias, factual
- Diversity of viewpoint
- Portrays issues sensitively
- Authority of author
- Relation of work to existing collection
- Price, format and ease of use
- Scarcity of information in subject area
- Available shelf or storage space
- Availability of material through inter-library loan
- Popular demand: The Library will make an effort to have materials available which are in high demand by the public; however, selections by popular demand will still be guided by consideration of merit, use and the specific principles for selection.
- Duplication of materials already in the collection; i.e. purchase of additional copies of materials, shall be governed by intrinsic or historical value, or immediate need
- Collection objectives
- Community relevance
- Audience for material

VII. Gifts:

Acceptance of gifts shall be governed by the same principles and criteria applied to the selection of items for purchase. Gifts of books or other materials which do not comply with the Library's objectives and policies will be refused. No conditions may be imposed relating to any item either prior to or after its acceptance by the Library. All gifts and donated materials (including works of local authors) become the property of the Library. The manner of disposition of any materials which are not added to the collection will be decided by the Library.

VIII. Maintenance of the Collection:

The collection shall be periodically examined for the purpose of eliminating obsolete, damaged, duplicate or unneeded materials, and for binding or repair of materials, in order to maintain a balanced, attractive and useful book collection.

IX. Challenges to Materials:

No material shall be removed from the Library's collection until all steps in the following process have been completed.

- A. Patrons who object to particular Library Materials will be sent to the Director.
- B. The Director will discuss the Library Materials in question with the patron, attempting to resolve the concern to both the patron's and Library's satisfaction.
- C. If the patron wishes to carry the request further, the Director will provide the patron with a copy of the Materials Selection Policy, including the Request for Reconsideration of Library Materials ("Request for Reconsideration").
- D. Once a completed, signed copy of the Request for Reconsideration is received, the Library Director shall make a decision regarding the Request for Reconsideration, taking into consideration Library's Materials Selection Policy and any other relevant information to reach a decision. The Director may consult with any other staff or consultants when making this decision.
- E. The Library Director shall send the decision in writing to the complainant within 75 days of the receipt of the completed Request for Reconsideration form. If the decision is that the questioned material should be removed from the collection, the complainant will be notified in writing by the Library Director and all copies of the item will be withdrawn. If the decision is that the questioned material is to be retained, the complainant will be notified in writing by the Library Director that the material will be retained.
- F. A written appeal of the Library Director's decision may be made by the requester to the Chair of the Library Board within ten (10) business days after the written decision is made by the Library Director. The Library Board will review any documentation it deems necessary to make a decision and render their decision within 60 days of receipt of the appeal.
- G. The Library Board serves as the final authority in cases involving retention or withdrawal of Library Materials.

X. Revision of This Policy:

This policy shall be reviewed and revised to be consistent with the objectives of the Library.

23921:00001:1582627-1

REQUEST FOR RECONSIDERATION OF LIBRARY MATERIALS
Rauchholz Memorial Library

The Library Board of Rauchholz Memorial Library has delegated the responsibility for selection and evaluation of library materials to the Library Director and has established reconsideration procedures to address concerns about those materials. Completion of this form is the first step in those procedures. If you wish to request reconsideration of library materials, please return the completed form to:

Library Director, Rauchholz Memorial Library, 1140 N Hemlock Rd, Hemlock, MI 48626.

Name _____ Date _____

Address _____ City _____

State _____ Zip _____ Phone _____ Email _____

Do you represent self? _____ Organization Name _____

1. Resource on which you are commenting:

☐ Book ☐ Audiobook ☐ Dvd ☐ Magazine ☐ Music Cd
☐ Newspaper ☐ Other _____

Title _____

Author _____

2. What brought this material to your attention?

3. Have you examined the entire material?

4. What concerns you about the material? (use other side if necessary)

5. Are there materials you suggest to provide additional information and/or other viewpoints on this topic? _____

EXHIBIT AND DISPLAY POLICY

The Rauchholz Memorial Library provides space for exhibits and displays of an civic, educational, cultural, or recreational nature. Display areas may also be used for Library purposes such as to display materials from the Library's collection, or to publicize library services, collections, or activities. Thus, this policy does not apply to the Library's use or co-sponsored use and the Library's use and co-sponsored use has first priority. When not used for Library sponsored or co-sponsored events, space designated by the Library for public use may be used for exhibits and displays pursuant to this Policy.

I. General Requirements:

- A. Exhibit and display areas are available on an equitable basis regardless of the beliefs or affiliations of individuals or groups requesting their use.
- B. The Library does not endorse content nor imply agreement or disagreement with beliefs or viewpoints expressed in the exhibits or displays.
- C. Exhibit and display spaces shall be used for displays of an educational, cultural, intellectual, charitable or recreational nature. Commercial displays or exhibits, including, the display of any items for sale is prohibited.
- D. All pre-approved exhibit and display spaces within the Library are open to adults and children of all ages and sensibilities.

II. Application and Appeal:

- A. A person or organization ("Exhibitor") that desires to use the display space must submit an application to the Library Director.
- B. The Library reserves the right to determine at its sole discretion what materials will be displayed as well as scheduling, duration, and assignment of exhibit and display spaces. Applications for exhibits or displays will be reviewed in light of the Library's educational, cultural, intellectual, or recreational purpose and community interest. The limitations on space will also be taken into consideration.
- C. The Library Director or his/her designee shall make the determination regarding the use of exhibit and display spaces. The Library Director or his/her designee has the right to review the materials in advance. The Library Director or designee's decision on what will be displayed in its exhibit and display spaces shall be final.
- D. Any person or organization aggrieved by the Director or designee's decision may appeal that decision to the Library Board. Such appeal shall be made within ten (10) business days of the decision. The appeal letter must indicate it is an appeal and be sent to the Library Director.

E. The Library reserves the right to remove any item from an exhibition or display on the above grounds or if the exhibition is a possible safety hazard, is too large for the display space, creates a maintenance problem, exceeds acceptable noise and light levels, interferes with the public service or other activities in adjacent Library areas or has been displayed without authorization.

III. Display Guidelines:

A. Exhibit and display space must be reserved in advance.

B. All materials are displayed at the Exhibitor's own risk. The Library is not responsible for any damage, defacement or removal of the Exhibitor's material. The Exhibitor shall sign a release of liability.

C. A notice is to be posted with each exhibit or display stating that: "The material within the exhibit is the presentation of **[the Exhibitor]**. The Rauchholz Memorial Library does not advocate or endorse the viewpoints of exhibits and exhibitors."

D. The Exhibitor may be identified by name within the exhibit or display.

E. The Exhibitor is responsible for installing and labeling the exhibit or display on the agreed upon date.

F. All exhibits or displays must be set up and removed with as little interference as possible to the daily operations of the Library. Once the exhibit or display is installed, changes may be made only with Library approval.

G. The Exhibitor shall remove the exhibit or display promptly on the agreed upon date at the end of the scheduled period. Exhibits or displays will be considered for exhibit for longer than the scheduled period with written approval of the Library Director or his/her designee.

H. The Library has the right to remove exhibit or display materials if they are not picked up by the agreed upon date. Exhibit materials may be disposed of if not claimed within sixty (60) days after the scheduled display period.

I. Exhibitors may not charge an admission fee or request donations.

J. Damages to the premises, equipment or furnishings as a result of the Exhibitor's use will be charged to the Exhibitor.

DISPLAY AND EXHIBIT RELEASE FORM
Rauchholz Memorial Library

I, the undersigned, hereby lend the following materials to the Rauchholz Memorial Library for exhibit purposes only. In consideration of the privilege of exhibiting them in the Library, I hereby release said Library from responsibility for loss, damages, or destruction while they are in the possession of the Library.

The exhibit location will be: _____

During: _____

Description of materials loaned:

Name of loaner _____

Address: _____

Telephone: _____

Signature of loaner

Date

Library Staff

Date

Return of materials to the loaner:

Signature of loaner

Date

Signature of Library staff releasing materials

Date

BULLETIN BOARD POLICY

I. All postings must follow the guidelines listed below:

- A. Library and Library co-sponsored programs shall have the first priority for any display and bulletin board space that the Library deems available for public display.
- B. All notices for the bulletin board are to be given to the Library Director for approval and posting pursuant to this policy.
- C. Signs and notices shall be posted for no more than two (2) weeks after receipt. Time sensitive material shall also be removed the day following the announced event or final date listed on the document.
- D. Materials posted are limited to non-profit or governmental organizations of a civic, educational, cultural or recreational nature. Commercial notices will not be posted.
- E. Posting of materials does not necessarily indicate the Library's endorsement of the issue or events promoted by these materials.
- F. There is a limit of one posting per sponsor at a time on the bulletin board. Items must contain the name of the sponsor of that item and may not be larger than 8 ½ x 11. Further, no multiple copies may be submitted.
- G. Any postings that violate Michigan law or would cause the Library to violate Michigan law are not permitted.
- H. The Library does not permit petitioning, solicitation or distribution of literature, leaflets or similar types of appeals on Library bulletin boards.
- I. The Library reserves the right to remove or deny any postings that do not follow these guidelines, including but not limited to any document that was not approved by the Library Director.

II. Right of Appeal:

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

23921:00001:1566575-1

MEETING ROOM USE POLICY

I. Introduction and Purpose of Policy:

The mission of Rauchholz Memorial Library is to provide quality Library services that support the cultural, educational and informational needs and interests of the community. In keeping with this mission, the Library provides a Meeting Room for Library programs as well as Library business meetings. When the Meeting Room is not scheduled for Library-hosted or co-hosted events, it may be used by the public within the parameters set by the Policy. The restrictions of this Policy regarding Application and Scheduling do not apply to Library sponsored or co-sponsored events.

II. Application and Scheduling of Meeting Room:

- A. General Use. Any person, group or organization may use the Meeting Room for cultural, educational and informational purposes pursuant to the requirements of this Policy (“Users”). Private social functions or functions which require a fee to attend are not permitted in the Meeting Room.
- B. Scheduling.
 - 1. Scheduling of applications shall be accepted on a first-come-first-served basis, with Library business, Library sponsored events and Library co-sponsored events having first priority.
 - 2. The Library may ask Users to reschedule meetings in the event the Library Board needs to schedule a special Library Board meeting or other Library sponsored or co-sponsored event.
 - 3. Meetings and events will not be scheduled more than three months in advance.
 - 4. The Library is responsible for scheduling use of the Meeting Room. The program and meeting schedule will be posted and updated regularly.
 - 5. The Meeting Room is available during regular Library hours only.

C. Application Process.

1. Any person 18 years or older who has a valid Rauchholz Memorial Library card may fill out an application for the Meeting Room. If the person is filling out the application for a corporation or organization, that person must have authority to do so.
2. The Library will contact you with confirmation that your reservation is accepted. Do not assume that your reservation is complete upon submission of the application.
3. The fee shall be due prior to the start of the meeting or other use of the Meeting Room.
4. If you need to cancel the reservation, you must provide the Library 24 hours notice.
5. At the time of application, the Applicant must sign a Waiver of Liability prepared by the Library.

III. Rules Regarding Use of Meeting Room:

- A. Smoking and Fire. No smoking, candles, matches or any other use of fire shall be permitted in the Meeting Room.
- B. Use by Persons Under the Age of 18. Users of the Meeting Room must be under adequate supervision by adults 18 years of age or older. The reservation form requires the listing of an adult who will be in charge of the group, as well as being financially responsible for any damages that may occur. This listed adult must be on site during the reserved meeting time. In addition, there must be one adult supervisor for every 5 minors.
- C. Tobacco, Alcohol and Controlled Substances Prohibited. The Library prohibits the use of tobacco, alcohol and the illicit use of controlled substances in the Meeting Room.
- D. Food and Beverages. Users of the Meeting Room may serve light refreshments, but only if approved by the Library at the time the User requests and receives permission to use the Meeting Room.
- E. Disruption Prohibited. Users making excessive noise that disrupts normal Library functions or other patrons' use of the Library may be asked to leave. This includes conducting the meeting or any part of the meeting outside of the Meeting Room.
- F. Equipment Requests. Requests for use of audio or visual equipment, tables, chairs and any equipment owned by the Library must be made at the time the venue is scheduled. The Library does not guarantee the availability of any equipment.
- G. Clean Up. It is the User's responsibility to leave the room in the condition (including furniture arrangements) in which they found it. The User must

remove leftover food, containers, beverages and all other personal or group-owned items. Failure to clean up may result in forfeiting the privilege of using the room again. Users must include time to clean up and set up within the scheduled time and must end meetings at least 15 minutes before the Library closing time.

- H. Library Policies. Users shall observe all rules of conduct and policies applicable to Library patrons.
- I. Occupancy. Users shall permit no more persons than is stated by occupancy requirements.
- J. No Raffles and Contribution Requests. Users shall not sell tickets, raffles or any objects or solicit contributions from persons located anywhere in the Library or on Library property.
- K. Private Literature. Users shall not distribute personal or group literature, brochures and other materials to Library patrons outside of the Meeting Room. Users shall not leave printed materials on Library property without prior approval of the Library Director or in accordance with Library Community Information Policy.
- L. Use of Walls and Other Surfaces. No decorations or other materials may be attached or affixed to the walls, windows, doors or other surfaces unless approved by the Library. If such approval is granted, any such material must be removed at the close of the scheduled time.

IV. Fees:

- A. Room Use. Any User may use the Meeting Room free of charge.

V. Library Disclaimer:

- A. No Endorsement. Use of the Meeting Room does not constitute the Library's endorsement of any User's policies or beliefs by any of the staff or Board members.
- B. Right to Cancel. If necessary, the Library reserves the right to cancel the use of a Meeting Room.
- C. Hold Harmless. The Library is released and held harmless from any and all claims for personal injury or property damage.

VI. Violation and Appeal Section:

The Library Director or the Director's designee may restrict access to Library facilities, including the Library Meeting Room, 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.

- A. 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.
- B. Violation of the Policy – Suspension of Privileges: Unless otherwise provided in this Policy, (See Section C below), the Library shall handle violations as follows:
 - 1. *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.
 - 2. *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.
- C. 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:
 - 1. *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.

2. *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.
- D. 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.
- E. Damages: If the User violates the Policy by causing damage to Library property, the User shall be assessed the actual costs.
- F. Right of Appeal:

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.

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.

23921:00001:1520038-1

Rauchholz Memorial Library

Application to use the Meeting Room

Date of request _____

Date of use _____ Time of use _____

Name of Corporation/Organization/Individual _____

Street address _____

City _____ Zip code _____

Telephone _____

Purpose of meeting or program _____

Number attending _____

By signing this Application, the Corporation, Organization or Individual identified above agrees to indemnify and hold harmless the Rauchholz Memorial Library, its agents, employees, officers and representatives, from any and all suits, actions, claims, or demands of any character or nature arising out of or brought on account of any injuries or damages sustained by any person as a consequence or result of the use of the Meeting Room, its furnishings or equipment by the User or any person attending the User's meeting. The Corporation, Organization, or Individual also agrees to pay for any damage caused by its use of the Meeting Room. If signing on behalf of a Corporation or Organization, the person signing this Application agrees that he/she has authority to sign on behalf of the Corporation or Organization.

Name of responsible person _____

Signature of responsible person _____

Approved _____ Date _____

PUBLIC RELATIONS/MEDIA POLICY

With the following Public Relations/Media Policy, Rauchholz Memorial Library intends to ensure that the public receives consistent and accurate information about Library policies, procedures, programs and services and to protect the privacy of all users of Library services and facilities.

I. Single Point of Contact:

The Board President is the single point of contact and the official spokesperson for the Library. Employees and individual members of the Library Board should refer all requests for information about the Library, its policies and operations to the Board President.

II. Press Releases:

The Board President approves all press releases or statements to the press prior to being issued from the Library.

III. Crisis Management:

If there is a crisis or incident in the Library that requires police or emergency services intervention, the Library Director or most senior staff person at the Library at the time of the incident shall call 911. The person shall then inform the Library Board President. Depending upon the situation and acting in compliance with the Open Meetings Act, the Library Board of Trustees shall be contacted if necessary and as timely as the situation will allow. If an emergency Board meeting is required, the Library shall convene such a meeting in compliance with the Open Meetings Act.

IV. Photography:

Unless approved in writing by the Library Director, no person may take pictures, videos or capture images by electronic means inside the Library. Requests from any person for photographing, videotaping or similar means of capturing images of Library patrons in the Library or the interior of the Library must be approved by the Library Director in advance. All such requests are to be referred directly to the Library Director. Any person denied the right to take pictures; videos or capture images in the Library may appeal that decision within ten (10) days of receiving such denial to the Library Board. This provision does not apply to any meeting that is open to the public pursuant to the Michigan Open Meetings Act.

V. Permission to Photograph the Public:

If any person who has received permission to take pictures, videos or obtain images inside the Library and such images contain pictures or videos of visitors to or patrons of the Library, the person must obtain prior written permission and release for use of the photo or video by the proposed subject of the photo or video. This includes photos taken and/or used by the Library. Copies of these permission slips and releases are to be provided to the Library. Requests for permission to photograph or video minors under the age of eighteen (18) must be signed by the minor's parent or legal guardian. This provision does not apply to any meeting that is open to the public pursuant to the Michigan Open Meetings Act.

23921:00001:1581822-1

VOLUNTEER POLICY

The Rauchholz Memorial Library recognizes the need for and welcomes community volunteers. Volunteers are individuals or groups who give their time and talents to the Library without compensation. The Director shall have the authority to approve the use of volunteers.

Volunteers will work under the direction of the Library Director or staff person designated by the Library Director and will follow all Library policies and standards, including the policies and laws regarding privacy of Library records.

Training and information will be provided for the assigned tasks.

Minors may volunteer with parental consent and work under the guidance of a staff member.

The Library Director may discontinue the use of any volunteer who does not follow policy and procedures of the Library.

RECORD RETENTION POLICY

In compliance with Michigan law, the Library shall manage and dispose of its records pursuant to the record retention policy applicable to libraries that had been approved by the Michigan Department of History, Arts and Libraries and the State of Michigan Records Management Services and the State Administrative Board, general schedule #17 (GS#17).

LIBRARY PURCHASING POLICY

This Policy is intended to clarify and expand the Library's protocol for the procurement of goods and services by the Rauchholz Memorial Library consistent with 1877 PA 164 and Michigan law.

I. Purchases.

All purchases of goods or services over \$1,000, or any non-routine purchases without appropriation in the current budget, shall be submitted to the Library 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.

II. Minor Purchases.

Any purchases of goods or services \$1,000.00 or under, when the specific appropriation has been specified and included in the current budget authorized by the Library Board as an approved expenditure for the fiscal year, may be completed after submittal to the Library Director, with documentation being provided to the Library Board within a forty-five (45) day period.

III. Emergency Purchases.

In an emergency endangering the public peace, health, safety or property of the Library, the Library 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. A full report shall be filed by the Library Director with the Library Board within a thirty (30) day period of such action.

IV. Specifically Authorized Purchases.

The Library Board specifically authorizes the Library Director to make the following purchases that may exceed \$1,000:

A. Payments for Shared Technology Services: The Library Board recognizes that at times the quarterly payments due to the White Pine Library Cooperative, may exceed \$1,000. The Library Director is authorized to purchase library cooperative services that exceed \$1,000 (on a quarterly basis) provided that (1) the Library Board has authorized the purchase of the cooperative library services generally from the White Pine Library Cooperative 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.

V. Purchasing Agent.

The Library Director shall act as purchasing agent of the Library, unless he/she shall designate 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.

VI. 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 Library 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.

VII. 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. 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.

VIII. Quotes.

Purchase of goods or services 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.

23921:00001:1639089-1

RESOLUTION TO ESTABLISH ENDOWMENT PROGRAM

At a regular meeting of the Board of Trustees of the Rauchholz Memorial Library ("Library"), Saginaw County, Michigan, held at the Library on the 1st day of October, 2013, at 7:57 p.m.

PRESENT: Carl Bruse, Heidi Kanouse, Marilyn Ludgin, Sara Wardin
and Judith Zastrow

ABSENT: Margaret Cramer

The following Resolution was offered by Sara Wardin and seconded by Judith Zastrow.

WHEREAS, the Rauchholz Memorial Library is a library operating pursuant to the provisions of the City, Village and Township Libraries Act, 1877 PA 164 ("PA 164"); and

WHEREAS, pursuant to Act 136 of the Public Acts of 1921, MCL 397.381 et seq. the Library has the authority to accept gifts and donations of real or personal property for the Library; and

WHEREAS, the Library desires to encourage donations to the Library to support the continued and long term viability of the Library; and

WHEREAS, the Library has received general donations intended for operating purpose that have been placed in the Library's General Fund and will continue to receive such General Fund donations; and

WHEREAS, the Library desires to provide additional options for donors through the creation of an endowment program; and

WHEREAS, the Library Board has determined it is in the best interests of the Library to provide for separate funds within an endowment program; and

WHEREAS, the Library will work with Richland Township to establish the endowment funds within the Richland Township treasury as required by PA 164.

THEREFORE, be it resolved by the Library Board of the Rauchholz Memorial Library, Saginaw County, Michigan, as follows:

1. **Name.** The Library Board hereby establishes on the books and accounts of the Rauchholz Memorial Library the Endowment Program of the Rauchholz Memorial Library (“Endowment Program”).
2. **Authority to Accept/Reject Gifts.** The Library Board has exclusive authority to accept or reject any devises, bequests, subscriptions, donations, gifts of or proceeds from the sale of real or tangible personal property. If accepted, the donations shall be placed into the Endowment Program.
3. **Endowment Program Funds:** The Library Board hereby establishes on the books and accounts of the Library four separate funds within the Endowment Program. In making a contribution to the Endowment Program, the donor may place restrictions on the expenditure of principal (True Endowment v. Quasi Endowment) or may restrict the use of the donation (Restricted v. Unrestricted). Depending on the donor restrictions, the donation shall be placed in one of the following funds:
 - A. **Unrestricted True Endowment Fund:**
 1. **Deposits:** At the discretion of the Library Board, proceeds from donors by bequests, subscriptions, donations or gifts of real or tangible personal property the principal of which the donor designates shall remain unspent shall be deposited in the Unrestricted True Endowment Fund.

2. Principal: The principal of the Unrestricted True Endowment Fund shall be held unspent and invested in accordance with resolutions of the Board.
3. Income: Annually, a portion of the net appreciation of the Unrestricted True Endowment Fund as determined by resolution of the Board shall be allocated to principal so that the principal amount on deposit in the Unrestricted True Endowment Fund shall increase annually by the cost of living, as determined by the Library Board. The remaining portion of the net appreciation that is not allocated to principal, as stated above, shall be set aside to be disposed of as directed by the Library Board.

B. Restricted True Endowment Fund:

1. Deposit: At the discretion of the Library Board, proceeds from donors by bequests, subscriptions, donations or gifts of real or tangible personal property the principal of which the donor designates shall remain unspent and for which the donor designates the permitted uses shall be deposited in the Restricted True Endowment Fund. The Library shall keep separate accounts within the Restricted True Endowment Fund for each donor designated purpose in order to ensure that any appreciation spent as indicated in paragraph 3 below shall be used for the donor designated purpose.
2. Principal: The principal of the Restricted True Endowment Fund shall be held unspent and invested in accordance with resolutions of the Board.
3. Income: Annually, a portion of the net appreciation of the Restricted True Endowment Fund as determined by resolution of the Board shall be allocated to principal so that the principal amount on deposit in the Restricted True Endowment Fund shall increase annually by the cost of living, as determined by the Board. The remaining portion of the net appreciation that is not allocated to principal, as stated above, shall be set aside to be disposed of as directed by the Library Board according to the donor designated purposes.

C. Unrestricted Quasi-Endowment Fund.

1. Deposits: At the discretion of the Library Board, proceeds from donors by bequests, subscriptions, donations or gifts of real or tangible personal property without restriction as to the expenditure of principal or the use may be deposited in the Unrestricted Quasi-Endowment Fund.
2. Principal. The principal of the Quasi-Endowment Unrestricted Fund shall be held and spent in accordance with resolutions of the Board. From time to time, the Board by resolution may place its own restrictions on the expenditures of Principal in this Fund. However, these restrictions may be removed or amended at any time by subsequent resolution of the Library Board.
3. Income: Annually, a portion of net appreciation of the Unrestricted Quasi-Endowment Account as determined by the Library Board may be allocated to principal. The remaining net appreciation that is not allocated to principal, as stated above, shall be set aside and disposed of as directed by the Library Board.

D. Restricted Quasi-Endowment Fund.

1. Deposits: At the discretion of the Board, proceeds from donors by bequests, subscriptions, donations or gifts of real or tangible personal property without restriction as to the expenditure of principal but with donor designated restrictions on the use may be deposited in the Restricted Quasi-Endowment Fund. The Library shall keep separate accounts within the Restricted Quasi-Endowment Fund for each donor designated purpose in order to ensure that any appreciation spent as indicated in paragraph 3 below shall be used for the donor designated purpose.
2. Principal. The principal of the Restricted Quasi-Endowment Fund shall be held and spent in accordance with resolutions of the Board. From time to time, the Board by resolution may place its own restrictions on the expenditures of Principal in this Fund. However, these restrictions may be amended at any time by subsequent resolution of the Library Board.
3. Income: Annually, a portion of net appreciation of the Restricted Quasi-Endowment Account as determined by the Library Board may be allocated to principal. The remaining net appreciation that

4. **Library Board Responsibilities.** The Library Board shall review and consider all matters listed below or any others that become necessary in order maintain the Endowment Program.
 1. Criteria for accepting or rejecting donor restricted funds.
 2. Fundraising material and methods for obtaining donations to the endowment fund.
 3. The recommended amount of annual unrestricted income that shall be reinvested.
 4. Management of the Endowment Fund, including the selection of investment advisors, if any, investment recommendations, accounting and other financial procedures.
 5. Timing of distributions of the Income to the General Fund of the Rauchholz Memorial Library.
5. **Repealer.** All resolutions or portions of resolutions that are inconsistent with this resolution are hereby repealed.

N-5

CONFIDENTIALITY POLICY: DISCLOSURE OF LIBRARY RECORDS

I. Policy; Library Records.

It is the policy of the Rauchholz Memorial Library to preserve the confidentiality and privacy of Library Records to the fullest extent permitted by law. A “Library Record” pursuant to the Michigan Library Privacy Act and for the purpose of this policy means

“a document, record, or other method of storing information retained by a library that contains information that personally identifies a library patron, including the patron’s name, address, or telephone number, or that identifies a person as having requested or obtained specific materials from a library.”

“Library Record” does not include non-identifying material that may be retained for the purpose of studying or evaluating the circulation of library materials in general.

The Library takes seriously its obligation to protect the privacy of every patron, as required by law even if this commitment to patron’s privacy may appear to cause inconvenience on occasion. To that end, Library Records or other confidential information shall be released or disclosed only as provided for herein or otherwise provided by Michigan Law.

II. Freedom of Information Act Requests.

All written requests for public records that are not subpoenas or other legal process must be processed according to the Michigan Freedom of Information Act (“FOIA”) and the Library’s FOIA Policy. When the Library receives a FOIA request, the Library employee shall immediately provide a copy of the request to the Library Director. A FOIA request includes any written request for documents, information or records. If an individual makes a verbal request, the Library employee shall contact the Library Director immediately regarding the request.

III. State or Local Subpoenas or Court Orders; Federal Orders Not Covered by Patriot Act.

Any employee of the Rauchholz Memorial Library who is served with a subpoena, court order, or other legal process to release or disclose any Library Record or other library document from (1) a State or Local law enforcement agency or (2) a Federal law enforcement agency that is not covered by the Patriot

Act (see Section 4 below) shall promptly notify the Library Director, or his or her designee. If neither is available, the Library Board President shall be contacted.

- A. **Consultation with Attorney.** The Library Director, his or her designee, or the Board President has the authority to consult with the Library Attorney regarding the sufficiency, scope or any other matter related to the subpoena, court order or other legal process.
- B. **Action by Library Director.** After review of the subpoena or court order the Library Director, his or her designee, or the Board President shall take appropriate action to respond.
- C. **Opportunity to be Heard.** The Library may appear and be represented by counsel at a hearing regarding the subpoena.
- D. **Confidentiality.** If a subpoena, court order or other legal process is submitted to the Library by the State or Local Agency, the Library shall maintain the confidentiality as permitted by court order or Michigan law.

IV. Federal Subpoenas or Court Orders or Other Document.

Any employee of the Rauchholz Memorial Library who is served with a subpoena, court order, production order or other legal process (“Production Order”) to release or disclose any Library Record or other library document from a federal law enforcement agency pursuant to the USA Patriot Act shall promptly notify the Library Director, or his or her designee.

- A. **Opportunity to be Heard.** The Rauchholz Memorial Library retains any rights it may have to legal process or opportunities to be heard regarding a federal Production Order as permitted by law. This includes the rights to challenge such Production Order given under Section 215 of the Patriot Act.
- B. **Consultation with Attorney.** The Library Director has the authority to consult with the Library Attorney regarding the sufficiency, scope or any other matter related to the Production Order.

- C. **Action by Library Director.** After review of the Production Order, the Library Director shall take appropriate action to respond.
- D. **Confidentiality.** If a non-disclosure order is imposed in connection with a Production Order, no person shall disclose to any other person (other than (1) those persons necessary to produce the tangible things under Section 501 of the Foreign Intelligence Surveillance Act of 1978, 50 U.S.C. 1861 et seq., (2) an attorney to obtain legal advice or assistance with respect to the Production Order or (3) any other person as permitted by the Director of the Federal Bureau of Investigation or the designee of the Director) that the Federal Bureau of Investigation has sought or obtained such tangible things. The Library may not be able to inform the patron that his or her records were sought. The Library Board acknowledges that the Library Director, if required by a non-disclosure order imposed in connection with a Production Order, may not be permitted to inform the Board or its individual members that the Federal Bureau of Investigation has sought or obtained requested records.

V. Consent.

In compliance with the Michigan Library Privacy Act a person who is liable for the payment or return of the materials identified in a Library Record or portion of a record may consent to the release of that record. Further, a parent or legal guardian who signs to accept legal responsibility for return of his/her child's (under the age of 18) library materials and accepts financial liability for that child's library fines and other charges, may authorize the disclosure of the minor's library records by signing the disclosure and release statement granting consent on behalf of the minor.

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RAUCHHOLZ MEMORIAL LIBRARY
FREEDOM OF INFORMATION ACT PROCEDURES AND GUIDELINES

I. PURPOSE.

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

II. FOIA COORDINATOR.

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

III. REQUEST REQUIRED.

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

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

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

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

- a. By mail or in person:

Library
Attn: FOIA Coordinator
1140 N Hemlock Rd
Hemlock MI 48626

- b. By e-mail: library@rauchholzlibrary.org
- c. By fax: 989-642-5559

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

3. Electronic Transmissions. For requests sent by electronic transmission, the following shall apply:

- a. **Electronic Transmissions**. A written request made by facsimile, electronic mail, or other electronic transmission is not received by a Library's FOIA coordinator until 1 business day after the electronic transmission is made.

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

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

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

IV. PROCEDURES FOR RESPONDING TO WRITTEN FOIA REQUESTS.

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

1. Granting the request (which would include notifying the requestor that all or a portion of the public records requested are available on the website, if applicable);
2. Issuing a written notice to the requesting person denying the request;
3. Granting the request in part and issuing a written notice to the requesting person denying the request in part (which would include notifying the requestor that all or a portion of the public records requested are available on the website if applicable); or
4. Issuing a notice extending for not more than 10 business days the period during which the Library shall respond to the request.

The Library's written response shall be considered the final determination regarding the FOIA request.

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

- 1 Pursuant to Section 13 of the FOIA, the Library may exempt certain documents from disclosure. The FOIA Coordinator will review the request to determine if any exemptions apply. The FOIA Coordinator may request assistance from the Library's Attorney regarding the application of exemptions. If exempt, the Library shall provide an explanation of the basis under this act or other statute for the determination that the public record, or portion of that public record, is exempt from disclosure, if that is the reason for denying all or a portion of the request.
2. A certificate that the public record does not exist under the name given by the requestor or by another name reasonably known to the Library, if that is the reason for denying the request or a portion of the request. The denial letter may indicate that that the letter serves as the certificate as required by the FOIA.
3. A description of a public record or information on a public record that is separated or deleted pursuant to Section 14 of the FOIA, if a separation or deletion is made.

4. A full explanation of the requesting person's right to do either of the following:

- a. Submit to the head of the Library a written appeal that specifically states the word "appeal" and identifies the reason or reasons for reversal of the disclosure denial; or
- b. Seek judicial review of the denial under Section 10 of the FOIA.

5. Notice of the right to receive attorneys' fees and damages as provided in Section 10 of the FOIA, MCL 15.240, if, after judicial review, the court determines that the Library has not complied and orders disclosure of all or a portion of a public record.

C. *No Obligation to Create Records.* The FOIA does not require the Library to make a compilation, summary, or report of information. Further, the Library is not required to create a new public record in order to respond to a request.

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

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

V. FEES.

The Library may charge a fee for a public record search, for the necessary copying of a public record for inspection, or for providing a copy of a public record because it has established, made publicly available, and follows these Procedures and Guidelines and the FOIA. The fee shall be limited to actual mailing costs and to the actual incremental cost of duplication or publication including labor; the cost of search, examination and review; and the deletion and separation of exempt information from non-exempt information as set forth more fully in these Procedures and Guidelines. The FOIA Coordinator shall provide a detailed itemization of costs on a standard form, as required under Section 4(4) of the FOIA ("Detailed Itemization"). The total fee shall not exceed the sum of the following components:

A. *Labor Costs:*

1. Searching for, Locating and Examining.

a. The Library may charge for searching for, locating and examining public records in conjunction with receiving and fulfilling a granted written request.

b. The Library shall not charge more than the hourly wage of its lowest-paid employee capable of searching for, locating, and examining the public records in the particular instance regardless of whether that person is available or who actually performs the labor.

c. These labor costs shall be estimated and charged in increments of 15 minutes, with all partial time increments rounded down.

2. Separating and Deleting Exempt from Non-Exempt:

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

b. If the Library does not employ a person capable of separating and deleting exempt information from non-exempt information in the particular instance, it may treat necessary contracted labor costs used for the separating and deleting of exempt information from non-exempt information in the same manner as employee labor costs when calculating charges under this subdivision if all of the following occur:

1) The Library's FOIA Coordinator determines on a case-by-case basis that the Library does not employ a person capable of separating and deleting exempt information from non-exempt information.

2) The Library clearly notes the name of the contracted person or firm on the Detailed Itemization.

3) Total labor costs calculated for contracted labor costs shall not exceed an amount equal to 6 times the state minimum hourly wage rate.

c. These labor costs shall be estimated and charged in increments of 15 minutes, with all partial time increments rounded down.

d. The Library shall not charge for labor directly associated with redaction if it knows or has reason to know that it previously redacted the public record in question and the redacted version is still in the Library's possession.

f. If the Library directly or indirectly administers or maintains an official internet presence, any public records available to the general public on that internet site at the time the request is made are exempt from this labor charge.

3. Duplication or Publication Labor Charges.

a. The Library may charge labor costs for duplication and publication, including making paper copies, making digital copies, or transferring digital public records to be given to the requestor on nonpaper physical media or through the internet or other electronic means as stipulated by the requestor.

b. The Library shall not charge more than the hourly wage of its lowest-paid employee capable of necessary duplication or publication in the particular instance, regardless of whether that person is available or who actually performs the labor.

c. Labor costs shall be estimated and charged in increments of one (1) minute, with all partial time increments rounded down.

4. Fringe Benefit Costs. The Library may also add up to 50% to the applicable labor charge amount to cover or partially cover the cost of fringe benefits if it clearly notes the percentage multiplier used to account for benefits in the detailed itemization. Subject to the 50% limitation, the Library shall not charge more than the actual cost of fringe benefits, and overtime wages shall not be used in calculating the cost of fringe benefits.

If all or a portion of the requested records are available on the website and the Library has included the website address in its written response but the requestor wants the public records in a paper format or other nonpaper physical media, the Library shall provide the public records in the specified format but may use a fringe benefit multiplier greater than the 50% limitation, not to exceed the actual costs of providing the information in the specified format.

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

6. Itemization. All labor fee components shall be itemized using both the hourly wage and the number of hours charged on the Detailed Itemization.

7. Unreasonably High Costs. The labor fee shall not be charged for (1) searching for, locating and examining of public records, or (2) the cost of the deletion and separation of exempt information from non-exempt information, unless failure to charge a fee would result in unreasonably high costs to the Library because of the nature of the request in the particular instance, and the Library specifically identifies the nature of these unreasonably high costs. The FOIA Coordinator has authority to determine when the costs are unreasonably high in a particular instance, including, but not limited to, instances when the costs would be excessive and beyond the normal or usual amounts for responding to a request. In doing so, the FOIA Coordinator may take into account considerations such as the volume and complexity of the FOIA request as well as the Library's particular fiscal condition at the time of the request or any other conditions authorized by law.

B. *Other Costs.*

1. Nonpaper Physical Media. Costs for providing records on nonpaper physical media.

a. The requestor may stipulate that the public records be provided on nonpaper physical media, electronically mailed, or otherwise electronically provided to him or her in lieu of paper copies. The Library is not required to provide the documents on nonpaper physical media if it lacks the technological capability necessary to provide records on the requested particular nonpaper physical media.

b. For public records provided to the requestor on nonpaper physical media, the Library may charge the actual and most reasonably economical cost of the computer discs, computer tapes, or other digital or similar media. The Library may use (but is not required to) a computer disc, thumb drive or other nonphysical media provided by the requestor but only if it is provided in its original packaging. Because the safety and security of the Library's computers and network is of important public interest, the Library may take that security interest into account when determining the means of providing the documents on nonpaper physical media.

2. Costs for Providing Paper Copies.

a. For paper copies of public records provided to the requestor, the Library may charge the actual total incremental cost of necessary duplication or publication, not including labor.

b. The cost of paper copies shall be calculated as a total cost per sheet of paper and shall be itemized and noted in a manner that expresses both the cost per sheet and the number of sheets provided.

c. The fee shall not exceed 10 cents per sheet of paper for copies of public records made on 8-1/2- by 11-inch paper or 8-1/2- by 14-inch paper. For all other paper sizes, the Library may charge the actual total incremental cost of duplication or publication, not including labor.

d. A Library shall utilize the most economical means available for making copies of public records, including using double-sided printing, if cost saving and available.

3. Mailing Costs.

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

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

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

D. *Fees Paid Before Providing Documents.* The Library shall require that all fees be paid in full before providing records in response to granted or granted in part written requests.

VI. DEPOSIT.

A. *Deposit.* In either the Library's initial response or subsequent response as described under Section 5(2)(d), the Library may require a good-faith deposit before providing the public records to the requestor if the entire fee estimate or charge authorized the FOIA exceeds \$50.00, based on a good-faith calculation of the total. The deposit shall not exceed 1/2 of the total estimated fee, and the Library's request for a deposit shall be included in the Detailed Itemization. The response shall also contain a best efforts estimate by the Library regarding the time frame it will take the Library to comply with the law in providing the public records to the requestor. The time frame estimate is nonbinding upon the Library, but the Library shall provide the estimate in good faith and strive to be reasonably accurate and to provide the public records in a manner based on this state's public policy under Section 1 and the nature of the request in

the particular instance. If a Library does not respond in a timely manner as required by the FOIA, it is not relieved from its requirements to provide proper fee calculations and time frame estimates in any tardy responses. Providing an estimated time frame does not relieve a Library from any of the other requirements of this act.

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

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

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

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

VII. WAIVER OR REDUCTION OF FEES.

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

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

a. If the requestor is eligible for a requested discount, the Library shall fully note the discount on the Detailed Itemization.

b. If a requestor is ineligible for the discount, the Library shall inform the requestor specifically of the reason for ineligibility in the Library's written response. An individual is ineligible for this fee reduction if any of the following apply:

1) The individual has previously received discounted copies of public records from the same Library twice during that calendar year.

2) The individual requests the information in conjunction with outside parties who are offering or providing payment or other remuneration to the individual to make the request, as verified by an affidavit executed by the requestor.

2. Certain Non-Profit Organizations. A non-profit organization formally designated by the state to carry out activities under subtitle C of the developmental disabilities assistance and bill of rights act of 2000, Public Law 106-402, and the protection and advocacy for individuals with mental illness act, Public Law 99-319, or their successors, if the request meets all of the following requirements:

a. Is made directly on behalf of the organization or its clients.

b. Is made for a reason wholly consistent with the mission and provisions of those laws under section 931 of the mental health code, 1974 PA 258, MCL 330.1931.

c. Is accompanied by documentation of its designation by the state, if requested by the Library.

B. *Public Interest Reduction or Waiver.* The FOIA Coordinator may reduce or waive the imposition of fees if the FOIA Coordinator determines that a waiver or

reduction of the fee is in the public interest because searching for or furnishing copies of the public record can be considered as primarily benefiting the general public.

C. *Reduction for Late Responses.* If the Library does not respond to a written request in a timely manner as required by the FOIA, the Library shall do the following:

1. Reduce the charges for labor costs by 5% for each day the Library exceeds the time permitted, with a maximum 50% reduction, if either of the following applies:

a. The late response was willful and intentional.

b. The written request:

(i) included language that conveyed a request for information within the first 250 words of the body of a letter, facsimile, electronic mail, or electronic mail attachment, or

(ii) The written request specifically included the words, characters, or abbreviations for "freedom of information", "information", "FOIA", "copy", or a recognizable misspelling of such, or appropriate legal code reference for this act, on the front of an envelope, or in the subject line of an electronic mail, letter, or facsimile cover page.

2. If a charge reduction is required, the Library shall fully note the charge reduction on the Detailed Itemization.

IX. INSPECTION.

Upon request, the Library must furnish a requesting person a reasonable opportunity for inspection and examination of its public records, and must furnish reasonable facilities for making memoranda or abstracts from its public records during the usual business hours. Pursuant to Section 4(1) of the FOIA, the Library may charge a fee for the public record search, for the necessary copying of a public record for inspection or for providing a copy of the public record after inspection.

The FOIA permits the Library to make reasonable rules necessary to protect its public records and to prevent excessive and unreasonable interference with the discharge of its functions. The Library must protect public records from loss, unauthorized alteration, mutilation, or destruction. As such, the Library authorizes the FOIA Coordinator to determine whether in a particular circumstance an employee or agent of the Library must be present at any inspection of documents to protect the public records, and in such cases may assess charges as appropriate under law.

X. CERTIFIED COPIES.

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

XI. APPEALS.

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

1. Submit an Appeal. If a requestor desires to appeal all or part of a final determination to deny a request, the requestor must submit to the Head of the Public Body, the Rauchholz Memorial Library Board, ("Library Board") a written appeal that specifically states the word "appeal" and identifies the reason or reasons for reversal of the denial.
2. Receipt of Appeal. A board or commission that is the Library Board is not considered to have received a written appeal until the first regularly scheduled meeting of that board or commission following submission of the written appeal.
3. Response to Appeal. Within 10 business days after receiving a written appeal, the Library Board shall do 1 of the following:
 - a. Reverse the disclosure denial.
 - b. Issue a written notice to the requesting person upholding the disclosure denial.
 - c. Reverse the disclosure denial in part and issue a written notice to the requesting person upholding the disclosure denial in part.
 - d. Under unusual circumstances, issue a notice extending for not more than 10 business days the period during which the Library Board shall respond to the written appeal. The Library Board shall not issue more than 1 notice of extension for a particular written appeal.

B. Appeals of Fees (Including Deposits).

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

2. Receipt of Appeal. The Library Board is not considered to have received a written appeal until the first regularly scheduled meeting of that board or commission following submission of the written appeal.
3. Response of Appeal. Within 10 business days after receiving a written appeal, the Library Board shall do 1 of the following:
 - a. Waive the fee.
 - b. Reduce the fee and issue a written determination to the requesting person indicating the specific basis under Section 4 of the FOIA that supports the remaining fee. The determination shall include a certification from the Library Board that the statements in the determination are accurate and that the reduced fee amount complies with its publicly available Procedures and Guidelines and Section 4 of the FOIA.
 - c. Uphold the fee and issue a written determination indicating the specific basis under Section 4 of the FOIA that supports the required fee. The determination shall include a certification from the Library Board that the statements in the determination are accurate and that the fee amount complies with these Procedures and Guidelines and Section 4 of the FOIA.
 - d. Issue a notice extending for not more than 10 business days the period during which the Library Board must respond to the written appeal. The notice of extension shall include a detailed reason or reasons why the extension is necessary. The Library Board shall not issue more than 1 notice of extension for a particular written appeal.

XII. CIVIL ACTION.

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

1. Civil Action After Appeal: If the Library Board fails to respond to a written appeal or if the Library Board upholds all or a portion of the disclosure denial that is the subject of the written appeal, the requesting person may seek judicial review of the nondisclosure by commencing a civil action within 180 days after a Library's final determination to deny a request.
2. Civil Action Directly After Denial. A requestor may also commence a civil action in the circuit court to compel the Library's disclosure of the public records within 180 days after a Library's final determination to deny a request. The requestor is not required to appeal the denial to the Library Board before commencing the civil action.

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

B. *Civil Action Regarding Fees.*

1. Civil Action After Appeal. A requestor may commence a civil action in the circuit court for a fee reduction if the Library (1) failed to respond to a written appeal or (2) made a determination on a written appeal. If a civil action is commenced against the Library under this subdivision, the Library is not obligated to complete the processing of the written request for the public record at issue until the court resolves the fee dispute. This action must be filed within 45 days after receiving notice of the fee or the determination of an appeal to the Library Board.

2. Remedies; Fines. If the requesting person prevails by receiving a reduction of 50% or more of the total fee, the court may, in its discretion, award all or an appropriate portion of reasonable attorneys' fees, costs, and disbursements. If the court determines the Library has arbitrarily and capriciously violated this act by charging an excessive fee, the court shall order the Library to pay a civil fine of \$500.00, which shall be deposited in the general fund of the state treasury. The court may also award, in addition to any actual or compensatory damages, punitive damages in the amount of \$500.00 to the person seeking the fee reduction.

XIII. FOIA RECORD RETENTION.

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

XIV. PUBLICATION AND NOTIFICATION OF PROCEDURE AND GUIDELINES.

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

XV. SEVERABILITY; ENFORCEABILITY.

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

XVI EFFECTIVE DATE

These Procedures and Guidelines shall become effective on July 1, 2015.

RAUCHHOLZ MEMORIAL LIBRARY

WRITTEN PUBLIC SUMMARY OF THE FREEDOM OF INFORMATION ACT PROCEDURES AND GUIDELINES

The Rauchholz Memorial Library adopts this written public summary pursuant to the requirements of Section 4(4) of the Michigan Freedom of Information Act, 1976 PA 442 ("FOIA") so that the public will understand the Library's Procedures and Guidelines for processing FOIA requests. This is a summary of the Procedures and Guidelines. A complete copy of the Procedures and Guidelines is available at the office located at 1140 N Hemlock Rd, Hemlock MI 48626 or on the website at www.rauchholzlibrary.org.

A. How Can I Request a Public Record?

- A person (except those persons incarcerated in state, county or federal correctional facilities), may request public records.
- The requestor must send a written request for the public record to the Library. A request can be made through a letter, in person, or sent by electronic transmission. The requests should be directed to the FOIA Coordinator. The contact information is as follows:

Rauchholz Memorial Library
Attn: FOIA Coordinator
1140 N Hemlock Rd
Hemlock MI 48626

email: library@rauchholzlibrary.org

fax: 989-642-5559

- The requestor will not be required to use a specific form or format, but requests must identify the public record sufficiently to allow the Library to find the requested record.
- The Library may, but is not required to, respond to a verbal request. However, if the Library believes the information is available on its website, the Library will inform the requestor of the website location where practicable and to the best of his or her knowledge.

B. When Can I Expect a Response?

- Unless otherwise agreed to in writing, the Library will respond or seek a deposit within 5 business days after it receives the request. However, the Public Body may extend that time period by 10 business days.
- Please keep in mind that a request sent by e-mail or other electronic means is not considered received until 1 business day after it is transmitted. If the request is sent to a spam or junk mail folder, it is not considered received until 1 day after it is discovered.

C. How Can I Understand the Response?

- If the Library grants a written request in full, the requestor will receive a notice indicating that it has been granted.
- However, if the request is denied or denied in part, the Library shall provide any or all the following information, depending upon the reason for the denial:
 - An explanation of the basis that the public record, or portion of that public record, is exempt from disclosure, including a description of the information that is separated or deleted.
 - A certificate that the public record does not exist under the name given by the requestor or by another name reasonably known to the Library.
 - A full explanation of the requesting person's right to (1) submit to the head of the Library a written appeal; or (2) seek judicial review of the denial under Section 10 of the FOIA. (See below for more details).
 - Notice of the right to receive attorneys' fees and damages if a court determines that the Library has not complied and orders disclosure of all or a portion of a public record.
- If a request is granted in part or granted in full, the Library will require payment before providing documents.

D. What if I Request Documents Available on the Website?

- If documents are available on the website, to the degree practicable, the response will include a specific webpage address where the requested information is available.
- The Library will inform the requestor of the additional charge to receive copies of the public records that are available on its website.

E. What Fees Will the Library Charge?

- The FOIA Coordinator will provide a detailed itemization of costs.
- For labor costs, the fee shall not exceed the sum of the following components:
 - Hourly Wage. The Library will not charge more than the hourly wage of its lowest-paid employee capable of searching for, locating, and examining the public regardless of whether that person is available or who actually performs the labor, except if the Library does not employ a person capable of separating and deleting exempt information from non-exempt information it may treat necessary contracted labor costs for that purpose in the same manner as employee labor costs but may not exceed 6 times the State minimum hourly wage.
 - Time Increments: The fee will be charged in fifteen (15) minute increments, with all partial time rounded down, except the labor fee for duplication and publication, which shall be charged in one (1) minute increments.

- Determination of Unreasonably High Labor Costs. The fee for searching for, locating and examining public records and separating exempt information from non-exempt information (including redacting) will not be charged, unless failure to charge a fee would result in unreasonably high costs to the Library because of the nature of the request in the particular instance, and the Library specifically identifies the nature of these unreasonably high costs.
 - Overtime. Overtime wages shall not be included unless agreed to by the requestor.
 - Description of Charge. The detailed itemization will include both the hourly wage and the number of hours charged.
 - Fringe Benefit Costs. The Library may also add up to 50% to the applicable labor charge amount (but may not exceed actual costs) to cover or partially cover the cost of fringe benefits if it clearly notes the percentage multiplier used to account for benefits, unless a requestor wants records that are available on the website. In which case, the fringe benefit multiplier can be greater than the 50% limitation.
- For public records provided to the requestor on nonpaper physical media (discs, flash drives, e-mails), the Library may charge the actual and most reasonably economical cost of the media.
 - For paper copies, the Library may charge the actual total incremental cost of necessary duplication or publication not to exceed \$.10 per page (single or double sided) for 8-1/2- by 11-inch paper or 8-1/2- by 14-inch paper. The Library will charge the actual cost of copies made on paper of a different size. The Library will use double-sided printing, if cost saving and available.
 - The Library may charge the actual cost of mailing and the least expensive form of postal delivery confirmation.

F. Will a Deposit be Required?

- The Library may require a good-faith deposit of ½ of the estimated fee if the entire fee estimate or charge authorized under the FOIA exceeds \$50.00, based on a good-faith calculation of the total estimated fee.
- The Library will also provide a best efforts, nonbinding estimate of the time frame it will take the Library to provide the public records to the requestor.
- If the Library has granted a prior request but has not been paid in full, the Library may require a deposit of up to 100% of the estimated fee if all of the following apply:
 - The final fee for the prior written request was not more than 105% of the estimated fee.
 - The public records made available contained the information being sought in the prior written request and are still in the Library's possession.

- The public records were made available to the individual, subject to payment, within the time frame estimate described Section 4(7) of the FOIA.
- Ninety days have passed since the Library notified the individual in writing that the public records were available for pick up or mailing.
- The individual is unable to show proof of prior payment to the Library.
- The Library calculates a Detailed Itemization that is the basis for the current written request's increased estimated fee deposit.

The Library shall no longer require an increased estimated fee deposit if **any** of the following apply:

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

G. Am I Entitled to a Wavier or Reduction of Fees?

- A reduction of the fee by \$20.00 is available to certain individuals who submit an affidavit stating they are indigent and receiving public assistance, or if not receiving public assistance, stating facts showing in ability to pay because of indigency. For this reduction to apply, the individual may not have received discounted fees twice during that calendar year and the person may not be requesting on behalf of parties who are paying to make the request.
- A reduction of the fee by \$20.00 is also available to certain non-profit organizations formally carrying out activities under subtitle C of the developmental disabilities assistance and bill of rights act of 2000, and the protection and advocacy for individuals with mental illness act, provided that the request is made on behalf of the organization or its clients, is made for a reason consistent with the laws under Section 931 of the mental health code and is accompanied by documentation of its designation by the state.
- The FOIA Coordinator may reduce or waive the imposition of fees if the FOIA Coordinator determines that a waiver or reduction of the fee is in the public interest because searching for or furnishing copies of the public record can be considered as primarily benefiting the general public.
- If a Library does not respond to a written request in a timely manner as required by the FOIA, the Library shall reduce the charges for labor costs by 5% for each day the Library exceeds the time permitted, with a maximum 50% reduction, if the late response was willful and intentional or the written request included specific language as set forth more fully in the Procedures and Guidelines.

H. How Can I Appeal a Decision to Deny All or Part of My Request?

- If a requestor desires to appeal all or part of a decision to deny a request, the requestor must submit to the Rauchholz Memorial Library Board ("Library Board") a written appeal that specifically states the word "appeal" and identifies the reason or reasons for reversal of the denial.

- The Library Board is not considered to have received a written appeal until the first regularly scheduled meeting after submission of the written appeal.
- The Library will respond within 10 business days by reversing the disclosure denial, upholding the denial, revising in part and upholding in part the denial or issuing a 10 business day extension.

I. How Can I Appeal a Determination of the Fee or Deposit Amount?

- The requestor may submit to the Library Board a written appeal for a fee reduction that specifically states the word "appeal" and identifies how the required fee exceeds the amount permitted under the Procedures and Guidelines or Section 4 of the FOIA.
- The Library Board is not considered to have received a written appeal until the first regularly scheduled meeting after submission of the written appeal.
- The Library will respond within 10 business days by waiving the fee, reducing the fee and explaining the basis for the remaining fee, upholding the fee or issuing a 10 business day extension.

J. Can I File a Lawsuit Regarding the Denial of a FOIA Request?

- If the Library Board fails to respond to a written appeal or if the Library Board upholds all or a portion of the disclosure denial that is the subject of the written appeal, the requestor may seek judicial review of the nondisclosure by commencing a civil action within 180 days after a Library's final determination to deny a request. A requestor may also commence a civil action in the circuit court to compel the Library's disclosure of the public records within 180 days after a Library's final determination to deny a request. The requestor is not required to appeal the denial to the Library Board before commencing the civil action.
- If a person prevails in an action regarding the denial of a request, the court shall award reasonable attorney's fees, costs and disbursements. If the person prevails in part, the court may award all or a portion of the attorneys' fees, costs and disbursements. If the court determines the FOIA was arbitrarily or capriciously violated, the court shall order a civil fine of \$1,000.00 to be paid to the state treasury. The court may also award actual, compensatory or punitive damages.

K Can I File a Lawsuit Regarding the Fee Charged For a FOIA Request?

- A requestor may commence a civil action in the circuit court for a fee reduction if the Library (1) failed to respond to a written appeal or (2) issued a determination of a written appeal. This action must be filed within 45 days after receiving notice of the fee or the determination of an appeal to the Library Board.
- If a person prevails in an action by receiving a reduction of 50% or more of the total fee, the court may award all or a portion of the reasonable attorneys' fees. If the court determines FOIA was arbitrarily or capriciously violated, the court shall order a civil fine of \$500.00 to be paid to the state treasury. The court may also award actual, compensatory or punitive damages.

RAUCHHOLZ MEMORIAL LIBRARY DETAILED ITEMIZATION

LABOR CHARGES	
<p>A. Cost for Searching for, Locating and Examining of Public Records in Conjunction with Receiving and Fulfilling a <u>Granted Written Request</u>.</p> <p>1. Determination of the Hourly wage:</p> <p>The hourly wage of the lowest paid public employee capable of searching for, locating and examining the public records in this particular instance regardless of who actually performs the labor. \$ _____</p> <p><input type="checkbox"/> This labor charge includes fringe benefit costs (up 50% of the applicable labor charge but not more than the actual costs of fringe benefits) using the hourly wage identified above and a percentage multiplier of _____% (hourly wage x percentage multiplier=\$ _____)</p> <p><input type="checkbox"/> This hourly wage is an overtime rate that <u>was agreed to by the requestor</u> in the amount of \$ _____ per hour.</p> <p>2. Determination of total time using increments of 15 minutes with partial time rounded down. (So, for 15 minutes, use .25 hours; 30 minutes, use .5 hours; for 45 minutes use .75 hours). _____ hours.</p> <p><input type="checkbox"/> The FOIA Coordinator has determined that failure to charge this fee would result in unreasonably high costs to the Rauchholz Memorial Library ("Library") because of the nature of the request in the particular instance because of the following reasons:</p> <p>_____</p> <p>_____</p>	<p>Hourly wage: \$ _____</p> <p>Total time: _____ hours</p> <p>A. Total Fee (hourly wage x total time): \$ _____</p>
<p>B. Cost for Separating Exempt Information from Non-Exempt, including Redaction of Documents.</p> <p>1. For <u>Employee Labor Costs</u>:</p> <p>a. Determination of the Hourly wage:</p> <p>The hourly wage of the lowest paid public employee capable of searching for, locating and examining the public records in this particular instance regardless of who actually performs the labor. \$ _____</p> <p><input type="checkbox"/> This labor charge includes fringe benefit costs (up 50% of the applicable labor charge but not more than the actual costs of fringe benefits) using the hourly wage identified above and a percentage multiplier of _____% (hourly wage x percentage multiplier =\$ _____)</p> <p><input type="checkbox"/> This fee is an overtime rate that <u>was agreed to by the requestor</u> in the amount of \$ _____ per hour.</p> <p>b. Determination of total time using increments of 15 minutes with partial time rounded down. (So, for 15 minutes, use .25 hours; 30 minutes, use .5 hours). _____ hours.</p>	<p>1.a Hourly wage for employees: \$ _____</p> <p>1.b Total time for employees: _____ hours</p> <p>1.c Total Employee labor charge (hourly wage x hours): _____</p>

Rauchholz Memorial Library

Other Actual Costs		
D. Costs for Paper Copies. The actual total incremental cost of necessary duplication and publication using the most economical means available: 1. Not to exceed \$.10 per sheet for 8 ½ by 11 or 8 ½ by 14 in paper: \$_____ per sheet x _____ number of sheets = \$_____. 2. Other paper sizes: \$_____ per sheet x _____ number of sheets = \$_____.		D. Total Fee (add totals for all sizes of paper): \$_____
E. Costs for Nonpaper Physical Media. The actual and most reasonably economical cost of the computer disc, flash drives, computer tape or other similar media: \$_____ per item x _____ number of items .		E. Total Fee: \$_____
F. Cost of Mailing: 1. The actual cost of mailing: \$_____ 2. Fee for the least expensive postal delivery confirmation: \$_____ 3. Costs for the envelope or box for mailing \$_____. <input type="checkbox"/> The requestor has stipulated to expedited shipping and/or insurance and those costs are listed above as the actual costs of mailing.		F. Total Fee: (add all 3 costs): \$_____
Costs for Providing Documents Available on the Website		
G. <input type="checkbox"/> The Library has notified the requestor in its written response that all or a portion of the requested information is available on its website and the requestor. The following is a detailed itemization of the information that is available on the website: 1. <i>Labor Costs – Searching for, locating and examining:</i> a. Determination of Hourly wage: The hourly wage of the lowest paid public employee capable of searching for, locating and examining the public records in this particular instance regardless of who actually performs the labor. \$_____ <input type="checkbox"/> This labor charge includes fringe benefit costs (up 50% of the applicable labor charge but not more than the actual costs of fringe benefits) using the hourly wage identified above and a multiplier of _____% (hourly wage x percentage multiplier =\$_____) <input type="checkbox"/> This fee is an overtime rate that <u>was agreed to by the requestor</u> in the amount of \$_____ per hour. b. Determination of total time using increments of 15 minutes with partial time rounded down _____ hours.		1. Total fee (hourly wage x hours): \$_____

<p>2. <i>Labor Costs: Copying or Duplication:</i></p> <p>a. Determination of Hourly wage:</p>	<p>2. Total fee (hourly wage x hours):</p>	
<p>Waivers or Reductions</p>		
<p>particular instance regardless of who actually performs the labor. \$ _____</p> <p><input type="checkbox"/> This labor charge includes fringe benefit costs (up 50% of the applicable labor charge but not more than the actual costs of fringe benefits) using the hourly wage identified above and a multiplier of _____% (hourly wage x percentage multiplier = \$ _____)</p> <p><input type="checkbox"/> This hourly wage is an overtime rate that <u>was agreed to by the requestor</u> in the amount of \$ _____ per hour.</p> <p>b. Determination of total time using increments of ____ minutes with partial time rounded down. _____ hours.</p> <p>3. The actual total incremental cost of necessary duplication and publication:</p> <p>a. Not to exceed \$.10 per sheet for 8 ½ by 11 or 8 ½ by 14 in paper: \$ _____ per sheet x _____ number of sheets = \$ _____.</p> <p>b. Other paper sizes: \$ _____ per sheet x _____ number of sheets = _____.</p> <p>4. Costs for Nonpaper Physical Media \$ _____ per item x _____ number of items.</p> <p>5. Cost of Mailing:</p> <p>a. The actual cost of mailing in a reasonably commercial and justifiable manner: \$ _____</p> <p>b. The charge for the least expensive postal delivery confirmation: \$ _____</p> <p>c. Costs for the envelope or box for mailing. \$ _____</p> <p><input type="checkbox"/> The requestor has stipulated to expedited shipping and/or insurance and those costs are listed above as the actual costs of mailing.</p>	<p>3. Total cost for paper copies: \$ _____</p> <p>4. Total cost for nonpaper physical media: \$ _____</p> <p>5. Total cost of Mailing: \$ _____</p> <p>G. Total Cost for Providing Documents: \$ _____</p>	
<p>1. Subtotal Charges: Add Items A – F Above:</p> <p>2. Subtotal with Website Document Charges from G above if applicable</p>		<p>Total Fee: \$ _____</p> <p>Total Fee with website records included if applicable \$ _____.</p>

Public Interest Reduction or Waiver. The FOIA Coordinator may reduce or waive the imposition of fees if the FOIA Coordinator determines that a waiver or reduction of the fee is in the public interest because searching for or furnishing copies of the public record can be considered as primarily benefiting the general public. <input type="checkbox"/> Fee waiver granted or granted in part for a reduction of \$ _____	Subtract \$ _____						
Waiver of Fees of First \$20.00. A public record search shall be made and a copy of a public record shall be furnished without charge for the first \$20.00 of the fee for each request by either of the following: 1. Indigency: Certain individuals who submit an affidavit stating that the individual is indigent or receiving public assistance as stated more fully in the FOIA and the Library's Procedures and Guidelines. <input type="checkbox"/> FOIA Coordinator Approves the Waiver. 2. Certain Non-Profit Organizations. A non-profit organization formally designated by the state to carry out activities under subtitle C of the developmental disabilities assistance and bill of rights act of 2000, and the protection and advocacy for individuals with mental illness act as stated more fully in FOIA and the Library's Procedures and Guidelines. <input type="checkbox"/> FOIA Coordinator Approves the Waiver.	Subtract Waiver of Fee: \$ _____						
Reduction for Late Response: If the Library does not respond to a written request in a timely manner, the Library shall reduce the charges for labor costs by 5% for each day the Library exceeds the time permitted, with a maximum 50% reduction. However, this reduction only applies (1) if the late response was willful and intentional or (2) or the request contained the language required by the FOIA for such reduction (See Procedures and Guidelines). _____ number of days x 5% of labor costs = \$ _____	Subtract \$ _____ of labor changes (up to 50% of labor costs).						
Final Total After Any Applicable Reductions or Waivers:	\$ _____						
Deposit: <input type="checkbox"/> The Library requires a deposit of \$ _____ (1/2 of the estimated fee) and this total estimated fee exceeds \$50.00. <input type="checkbox"/> The Library requires a deposit of \$ _____ (100% of the estimated fee) because this request meets the statutory requirements for failing to pay for prior requests under Section 4(11) of the FOIA.	Deposit Amount: \$ _____ <input type="checkbox"/> Deposit Paid on _____						
<table border="0"> <tr> <td>Total Fee</td> <td>\$ _____</td> </tr> <tr> <td>- Deposit Amount</td> <td>\$ _____</td> </tr> <tr> <td>= Remaining Fee Due of</td> <td>\$ _____</td> </tr> </table> <input type="checkbox"/> Fee Paid on _____	Total Fee	\$ _____	- Deposit Amount	\$ _____	= Remaining Fee Due of	\$ _____	Total Fee Due: \$ _____
Total Fee	\$ _____						
- Deposit Amount	\$ _____						
= Remaining Fee Due of	\$ _____						

Bylaws of the Board of Trustees

Article 1

Name and Rights of Authority

1.1 NAME

This organization shall be called “The Board of Trustees of the Rauchholz Memorial Library,” established by the virtue of the provisions of Public Act 164, as amended, of the laws of the State of Michigan, 1877, (“Act 164”) and exercising the powers and authority and assuming the responsibilities delegated to it under PA 164 and the laws of the State of Michigan.

1.2 MEMBERSHIP

The Board shall consist of six (6) Trustees. Trustees shall be elected every four (4) years as provided by Act 164 and the laws of the State of Michigan.

1.3 VACANCIES

In the event of a vacancy, the Board shall appoint a qualified person to hold the vacant office until the next election. This appointment must be made by a majority vote of the Board, as soon as possible, but no later than the second regular meeting after the vacancy occurs.

1.4 INDIVIDUAL AUTHORITY

Trustees have no authority as individuals, apart from that specified in these Bylaws or applicable law, but rather exercise their authority collectively with Library Board action.

Article 2

Officers

2.1 OFFICERS

The officers of the board shall be a President, a Vice President, a Secretary, and a Treasurer. Officers must be Trustees.

2.2 ELECTION

The officers shall be elected by a majority vote of the Board biannually in even numbered years at the regular meeting in December. Nominations may be made from the floor.

2.3 TERM

Officers shall serve a term of two (2) years from the annual meeting at which they are elected and until their successors are duly elected. No officer shall serve longer than two consecutive terms in the same office (a “term” shall include any service for more than a year in any position).

2.4 DUTIES

- a. The **President** shall prepare the agenda with the Library Director, preside at all meetings of the Board, authorize calls for any special meetings, appoint members of all standing committees and establish additional committees as deemed necessary, execute all documents authorized by the Board unless the Board specifically provides otherwise, and generally perform all duties associated with that office or specifically delegated by the Board. The President shall be responsible for enforcing the rules of procedure and orderly conduct at meetings.
- b. The **Vice President**, in the event of a temporary absence or disability of the President shall assume and perform the duties and functions of the President. In the event there is a vacancy in the office of the President, the Vice President shall assume and perform the duties and functions of the President until the vacancy is filled.
- c. The **Secretary** shall be responsible for keeping a true and accurate record of all meetings of the Board, and for the issuance of notices of all regular and special meetings, and shall perform such other duties as are generally associated with that office or specifically delegated by the Board.
- d. The **Treasurer** shall certify, along with the Library Director, all bills approved by the Board. In the event of the temporary absence or disability of the Treasurer, the President shall assume and perform the duties and functions of the Treasurer.

Article 3 Meetings

3.1 OPEN MEETINGS NOTICES

All meetings of the Board shall be open to the public and notice of meetings shall be given in accordance with the provisions of the Open Meetings Act, P.A. 267 of 1976, as amended.

3.2 REGULAR MEETINGS

Regular meetings shall be held each month, except June, July and August, the date and hour to be set by the Board at its annual meeting. Within ten days following the annual meeting, a notice shall be posted in the library setting forth the dates, times and places of all regular meetings scheduled for the ensuing year.

- a. Order of Business - The order of business for regular meetings shall include, but not be limited to, the following items which shall be covered in the sequence shown so far as circumstances will permit:

- Call to Order
- Approval of Agenda
- Approval of Minutes
- Approval of Expenditures
- Budget Review
- Director's Report
- Other Reports
- Communications
- Committee Reports
- Old Business
- New Business
- Call to the Public
- Adjournment

- b. Rescheduled or Recessed Meeting Notice - The Board may reschedule, recess or adjourn a regular meeting by simple majority vote. If a regular meeting is rescheduled, or if the schedule of the regular meetings is changed, the notice of such change must be posted in accordance with the provisions of the Open Meetings Act, as amended.

3.3 SPECIAL MEETINGS

The President may call a special meeting. The Board may also call a special meeting by simple majority vote. Two members of the Board may call a meeting by contacting the Director in writing. Notice of a special meeting shall be given as provided for by law. The Board may recess or adjourn a special meeting by simple majority vote.

3.4 CLOSED MEETINGS

The Board may call a closed meeting by majority roll call vote unless a two-thirds (2/3rds) roll call vote of the members of the Board elected and serving is required by the Open Meetings Act. Closed meetings may be called only for the purposes set forth in the Open Meetings Act, as amended.

3.5 ANNUAL MEETING

The annual meeting shall be held at the time of the first regular meeting of the calendar year in December.

3.6 QUORUM

A quorum for the transaction of business at any meeting shall consist of four (4) members of the Board.

3.7 VOTING

An affirmative vote of the majority of all members of the Board present at the time shall be necessary to approve any action before the Board, unless otherwise required by law or these Bylaws.

3.8 PARLIAMENTARY AUTHORITY

The rules contained in Roberts Rules of Order, newly revised, shall be the parliamentary authority governing all meetings of the Board in all cases to which they are applicable and in which they are not inconsistent with these Bylaws or procedural rules adopted by the Board.

3.9 USE OF PROXIES

Trustees participating in a Library Board Meeting must do so in person; proxies are not permitted.

3.10 MINUTES

Minutes of all meetings of the Board are required to be kept and must contain at least the following information: date, time, place, members present, members absent, decisions made, purposes for which a closed meeting is called and all roll call votes taken.

Minutes of the public meetings are subject to the following rules regarding public inspection-

- a. **Proposed** minutes must be available for public inspection not more than eight (8) business days following the meeting which is the subject of the minutes.
- b. **Approved** minutes must be available for public inspection not later than five (5) business days following the meeting at which they are approved.

3.11 TRUSTEE ATTENDANCE

Election to the Library Board is a privilege freely sought by the nominee. It carries with it the responsibility to participate in Library Board activities and represent the residents of the city. Attendance at Library Board meetings is critical to fulfilling this responsibility. A member who cannot attend a meeting bears the responsibility of notifying the President concerning this absence.

3.12 CITIZEN PARTICIPATION

Each regular and special board meeting agenda shall provide for one reserved time for audience participation. The public shall address the board during "Call to the Public" which shall be included on the agenda immediately after "Approval of Agenda" and again immediately after "New Business". A person shall not address the Board in excess of five minutes unless the time is extended by a majority vote of the Board present. Persons wishing to address the Board shall identify themselves and their place of residence. All comments by the public shall be made directly to the Board.

3.13 DUTY TO VOTE

Election to a deliberative body carries with it the obligation to vote. Board members present at a board meeting shall vote on every matter before the body, unless otherwise excused or prohibited from voting by law. Conflict of interest, as defined by law, shall be the sole reason for a member to abstain from voting. The right to vote is limited to the members of the board present at the time of the vote taken. All votes must be held and determined in public; no secret ballots are permitted.

Article 4 Library Director

4.1 DUTIES

The Library Director shall have sole charge of the administration of the library under the direction and review of the Board. The Library Director shall be responsible for the care of the building and equipment; for the employment and direction of the staff; for the efficiency of the library's service to the community; and for the operation of the library under the financial conditions set forth in the annual budget. The Library Director shall attend all regular, special and annual meetings of the Board, unless otherwise notified by the President. The Library Director shall submit to the Board a written annual report of the state of the Library no later than May of each year.

4.2 MEETINGS

The Library Director shall be present at all Library Board meetings unless excused in advance by the Board President.

Article 5 Committees

5.1 APPOINTMENT AND TERM

The President shall appoint committees of two or more members each for such specific purposes as the business of the board may require from time to time. The committee shall be considered to be discharged upon the completion of the purpose for which it was appointed and after the final report is made to the Board.

5.2 DUTIES

All committees shall make regular progress reports to the Library Board.

Article 6 Budget and Finance

6.1 FISCAL YEAR

The fiscal year of the library shall be April 1 through March 31.

6.2 BUDGET

The Director shall be responsible for the presentation to the Board, no later than February of each year, of a preliminary budget for the maintenance and operation of the library for the ensuing fiscal year. The Board shall adopt a preliminary budget for presentation to the electorate at a public hearing. Following the public hearing, the Board shall adopt by resolution a final operating budget for the ensuing fiscal year.

Article 7 Amendments

7.1 AMENDMENTS

The Bylaws may be amended by a two-thirds (2/3rd's) vote of the members of the Board elected and serving provided notice of the proposed amendment shall have been provided to all members at least ten (10) days prior to the meeting at which such action is proposed to be taken. In addition, the amendment is to be stated in the call for the meeting. Amendments shall become effective immediately following the approval of the Board.

RAUCHHOLZ MEMORIAL LIBRARY
INVESTMENT POLICY

I. Purpose.

It is the policy of the Rauchholz Memorial Library to invest public funds in a manner which will provide the highest investment return with the maximum security while meeting the daily cash flow demands of the entity and conforming to all state statutes and Library policies governing the investment of public funds.

II. Scope.

This investment policy applies to all transactions involving the financial assets and related activity of the Rauchholz Memorial Library except for any financial asset or money that is otherwise subject to a public act or bond authorizing ordinance or resolution that permits investment in fewer than all the investment options listed in this Policy or imposes one or more conditions upon an investment listed in this policy.

III. Objectives.

Funds of the Rauchholz Memorial Library will be invested in accordance with Michigan Public Act 20 of the Public Acts of 1943, as amended, and in accordance with the following objectives in order of priority.

A. Safety - Safety of principal is the foremost objective of the investment program. Investments shall be undertaken in a manner that seeks to insure the preservation of capital and preservation of investment in the overall portfolio.

B. Diversification - The investments shall be diversified by specific maturity dates, individual financial institution(s) or a specific class of securities in order that potential losses on individual securities do not exceed the income generated from the remainder of the portfolio.

C. Liquidity - The investment portfolio will remain sufficiently liquid to meet all operating requirements which might be reasonably anticipated.

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

IV. Authority.

Authority to manage the investment program is derived from state law, including the Investment of Surplus Funds of Political Subdivisions Act, 1943 PA 20 and Section 5 of the City, Village and Township Libraries Act, 1877 PA 164. Management responsibility for the investment program is held by the Rauchholz Memorial Library Board which shall establish procedures and internal controls for the operation of the investment program, consistent with the investment policy. No person may engage in investment transactions except as provided under the terms of this policy and the procedures established by the Board. The Board shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials. The Board may hire consultants, including a Bookkeeper and Financial Advisor, to assist with Library investments.

V. Authorized Instruments.

In accordance with Public Act 20 of the Public Acts of 1943, as amended from time to time, the surplus funds of the Rauchholz Memorial Library may be invested as follows:

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

B. Certificates of deposit, savings accounts, or depository receipts of a financial institution, but only if the financial institution is eligible to be a depository of funds belonging to the state under a law or rule of this state or the United States. In addition, the Library may authorize by resolution its investment officer to invest in certificates of deposit or depository accounts that meet the following conditions:

1. Certificates of deposit in accordance with all of the following conditions:

a) The funds are initially invested through a financial institution that is not ineligible to be a depository of surplus funds belonging to this state under section 6 of 1855 PA 105, MCL 21.146.

b) The financial institution arranges for the investment of the funds in certificates of deposit in 1 or more insured depository institutions, as defined in 12 USC 1813, or 1 or more insured credit unions, as defined in 12 USC 1752, for the account of the public corporation.

c) The full amount of the principal and any accrued interest of each certificate of deposit is insured by an agency of the United States.

d) The financial institution acts as custodian for the public corporation with respect to each certificate of deposit.

e) At the same time that the funds of the Library are deposited and the certificate or certificates of deposit are issued, the financial institution receives an amount of deposits from customers of other insured depository institutions or insured credit unions equal to or greater than the amount of the funds initially invested by Library through the financial institution.

2. Deposit accounts of a financial institution that meet all of the following conditions:

a) The funds are initially deposited in a financial institution that is not ineligible to be a depository of surplus funds belonging to this state under section 6 of 1855 PA 105, MCL 21.146.

b) The financial institution arranges for the deposit of the funds in deposit accounts in 1 or more insured depository institutions, as defined in 12 USC 1813, or 1 or more insured credit unions, as defined in 12 USC 1752, for the account of the public corporation.

c) The full amount of the principal and any accrued interest of each deposit account is insured by an agency of the United States.

d) The financial institution acts as custodian for the public corporation with respect to each deposit account.

e) On the same date that the funds of the Library are deposited under subdivision b) above, the financial institution receives an amount of deposits from customers of other insured depository institutions or insured credit unions equal to or greater than the amount of the funds initially deposited by the Library in the financial institution.

C. Commercial paper rated at the time of purchase within the two (2) highest classifications established by not less than two standard rating services and that matures not more than 270 days after the date of purchase.

D. Repurchase agreements consisting of instruments listed in subdivision A above. Repurchase agreements must be executed by the bank or dealer, and shall be negotiated only with dealers or financial institutions with whom the Rauchholz Memorial Library has negotiated a master repurchase agreement approved by the Library's legal counsel.

E. Bankers' acceptances of United States Banks.

F. Obligations of the State of Michigan or any of its political subdivisions that at the time of purchase are rated as investment grade by not less than one (1) standard rating service.

G. Mutual funds registered under the Investment Company Act of 1940, Title I of chapter 686, 54 Stat. 789, 15 U.S.C. 80a-1 to 80a-3 and 80a-4 to 80a-64, with authority to purchase only investment vehicles that are legal for direct investment by a public corporation. The authorization to invest in mutual funds includes securities whose net asset value per share may fluctuate on a periodic basis. However, a mutual fund is not disqualified as a permissible investment solely by reason of the following:

- 1) The purchase of securities on a when-issued or delayed delivery basis.
- 2) The ability to lend portfolio securities as long as the mutual fund receives collateral at all times equal to at least 100% of the value of the securities loaned.
- 3) The limited ability to borrow and pledge a like portion of the portfolio's assets for temporary or emergency purposes.

H. Obligations described in 5A through 5G above if purchased through an interlocal agreement under state law (Urban Cooperation Act of 1967) e.g. the MBIA Michigan CLASS program.

I. Investment pools organized under the Local Government Investment Pool Act, 1985 PA 121 and the Surplus Funds Investment Pool Act, 1982 PA 367.

VI. Safekeeping and Custody.

All security transactions, including collateral for repurchase agreements and financial institution deposits, entered into by the Rauchholz Memorial 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.

VII. 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.

VIII. Reports.

The Treasurer may elect to have certificates and other evidence of investments held by a financial institution and sufficient documentation and acknowledgment of investments held on behalf of the Library, provided that such documentation is provided on a quarterly basis. The Treasurer shall provide a quarterly report to the governing body concerning the investment of funds.

IX. Conflict.

The Treasurer shall comply with all statutes related to public fund investments. Any provision of this Policy in conflict with state law is void.

RAUCHHOLZ MEMORIAL LIBRARY

CERTIFICATION

I hereby certify that I have received the Investment Policy of Rauchholz Memorial Library, have personally read the Investment Policy, and agree to comply with the terms of the Investment Policy regarding the investment of the Rauchholz Memorial Library funds.

Any investment not conforming with your investment policy will be disclosed promptly.

We also pledge to exercise due diligence in informing you of all foreseeable risks associated with financial transactions conducted with our firm.

Institution

Address

Authorized Official & Title

Signature

Date

POLICY APPROVED: _____

EFFECTIVE: _____

PRESIDENT: _____

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11/19/2014

LIBRARY BILL PAYMENT POLICY

This Policy is intended to clarify and expand the Library Board of Trustee's protocol for the payment for goods and services by Rauchholz Memorial Library consistent with the City, Village, and Township Libraries Act, 1877 PA 164, as amended, ("PA 164") and Michigan law.

I. Authority for Approval.

All money of the Library shall be deposited in the treasury of Richland Township to the credit of the Library Fund. The Library Board has exclusive control over the expenditure of all money credited to the Library Fund. All money in the Library Fund shall be kept separate and apart from other money of the Township. No money legally appropriated to the use and support of the Library shall be paid out by the Township except pursuant to a properly authenticated voucher of the Library Board. A voucher is properly authenticated if it is approved by the Library Board and signed by the Treasurer.

II. Authorizing Procedure.

All invoices and bills shall be approved by the Library Board prior to payment, except for the following which shall be authorized and for which a voucher is considered authenticated and approved pursuant to this Policy:

- A. Payroll
- B. Utilities
- C. Invoices or bills with penalties or discounts that would be incurred if payment is not received prior to the Board Meeting at which such invoices or bills will be approved.
- D. Baker & Taylor
- E. Amazon

III. Post Audit

All invoices and bills preapproved pursuant to Section II shall be post audited at the next Board meeting. The post audit shall indicate that the invoices and bills were preauthorized by policy.

MAKERSPACE POLICY

The purpose of the Makerspace is to provide library patrons access to various new technologies and traditional arts and crafts that support their educational and personal goals and endeavors and the mission of the Library.

A. Conditions Prior to Use

1. Prior to using the Makerspace or participating in a Library hosted “workshop” for the Makerspace, patrons must sign a Release of Liability Agreement. The patron will be considered the “User” for the purpose of the Release of Liability Agreement. If the patron is under the age of 18, a parent or legal guardian must sign the Release of Liability Agreement. Patrons must also participate in a mandatory training session with a librarian or participate in a Library hosted “workshop” for using the equipment from the Makerspace and review this Policy before using the Makerspace.

2. Users under age 18 must be accompanied by a parent or caregiver over the age of 18 while using the Makerspace unless they are attending a sponsored Library workshop involving the use of the Makerspace.

3. To use the Makerspace, a patron must register at the Information Desk and must leave a valid Library card or school or government issued identification.

B. Reservation of Equipment

1. Users may reserve equipment up to one week in advance. Use is limited for four (4) times per month per User, unless prior approval for additional time is made by the Library Director.

2. Use is limited for two hours per day per User, unless prior approval for additional time is made by the Library Director.

3. Reservations can be made in person, by phone, online or by email. Users must have a reservation in order to use Makerspace.

4. The Makerspace is open during normal business hours, but closes 30 minutes prior to the Library closing.

C. General Rules of Usage:

1. All Users using the Makerspace must comply with all Library policies, including the Patron Behavior Policy and the Public Internet Access Policy.

2. Use of the Makerspace is intended for discovery, learning, entertainment and prototyping purposes. Production of goods to be sold for profit is contrary to the Library's mission and is prohibited.

3. The User agrees that the Library is not responsible for any manufacturing defects in the quality of workmanship or materials inherent in any of the tools or equipment.

4. The User agrees to follow the safety policies and procedures involved with the Makerspace, including the following:

- a. The User will follow all equipment safety procedures as documented in the training session, workshop and/or detailed in the owner's manuals. Owner's manuals will be available for review by the User.
- b. The User agrees that if any tool or piece of equipment becomes unsafe or in a state of disrepair, he/she will immediately discontinue use of the tool and notify Library staff.
- c. The User must report any accident/incident that occurs to a Library staff member, at the time of the accident/incident.

5. The User agrees that items used in the Makerspace are to be returned in the same condition as they were issued, barring normal wear and tear. The User agrees to pay for the loss or damage to any items and further agrees to accept the Library staff's assessment of fair restitution for damage, dirtiness, delinquency and/or loss of items in part or total.

6. The User agrees to take precautions to avoid causing unnecessary mess. The User agrees to clean up his/her workspace following use and will inform a Library staff member in the event that they are unable to return a work surface, tool or equipment to its original state.

7. The User acknowledges that the Library is only able to provide consumable materials on a limited basis. The User agrees to avoid wasting consumable supplies and materials.

8. The Library is not responsible for the following:

- a. The Library does not accept responsibility if a project is destroyed, does not print correctly or does not work.
- b. The Library will not offer refunds for supplies used.

- c. The Library does not accept responsibility if a patron's personal equipment (VHS, DVD) is damaged or destroyed while using the tools.

9. The Library's Makerspace printer may be used only for lawful purposes subject to any condition set forth in this policy or any other Library policy. The public will not be permitted to use the Makerspace printer to create material that is:

- a. Prohibited by local, state or federal law or regulation.
- b. Unsafe, harmful, dangerous or poses an immediate threat to the well-being of others.
- c. Obscene, sexually explicit or harmful to minors.
- d. In violation of another's intellectual property rights. The User will be responsible for compliance with all intellectual property laws, including patent, trade dress, trademark and copyright laws. Responsibility for possible copyright or any other intellectual property infringement lies solely with the User and the Rauchholz Memorial Library disclaims any responsibility or liability resulting there from. The User of the Makerspace printer is liable for any infringement. All Users using the Makerspace printer must sign the Library's waiver and release regarding intellectual property rights.
- e. Weapons or weapon replicas of any kind

10. Food and drinks are prohibited when using the Makerspace.

11. Users must save their work on an external memory source — external hard drive, CD, DVD, or flash drive.

12. It is the responsibility of the User to delete and/or remove any files (digital or print) from the Library equipment in the Makerspace. The Library is not responsible for equipment or files (digital or print) left behind by Users.

13. Library staff will provide very limited assistance in using the equipment and software or transporting of supplies, equipment, or furniture to and from the Makerspace.

14. While the Library makes every effort to oversee the use of the equipment, usage of the equipment is not under the direction or control of the Library. The Library is not responsible for any object created with the use of the equipment, including any harm or injury incurred as a result of any usage of the equipment.

15. The Library Director or his or her designee reserves the right to:

- a. Refuse any Makerspace print request. If the request is denied, the patron may appeal that decision to deny the Makerspace print request to the Library Board by sending a written notice of appeal to the Library Board President within 10 days of notice of the denial.
- b. Review and approve all materials before printing. If there is a problem with the design and/or production, the patron will be informed. The Library cannot guarantee that a print job will be completed within a particular time frame.
- c. Stop printing a request due to time or printer capabilities.
- d. Set a limit as to the maximum amount of time a print job may take.
- e. Limit the number of print requests. If there is high demand, the Library will schedule only one print per person per week.

D. Fees:

1. The Library will strive to keep some basic, learning-level materials on hand, intended for learning and exploration. The supplies are not meant to comprise your project needs. A variety of supplies will also be available in the Makerspace for an additional charge.

2. If the proposed cost exceeds \$5.00, the User will be notified by Library Staff prior to printing. The User will be responsible for all costs and fees. The User shall pay the printing costs prior to printing.

3. The following fees will be charged by the Library: Twenty cents (\$.20) per gram of filament.

Makerspace User Policy Agreement

Name: _____

Address: _____

Release of Liability Agreement

THIS AGREEMENT made this ____ day of _____ 20__, by and between **Rauchholz Memorial Library** and _____(User).

In consideration for User's participation in the use of the Library's Mobile Makerspace of Rauchholz Memorial Library, User agrees as follows:

1. **Conditions of Use.** The User agrees that (a) the User has reviewed the Library's Makerspace Policy and agrees to its terms, which are incorporated by reference into this Agreement, and (b) the User has been trained by Library staff or participated in a Library workshop regarding the use of the Makerspace. The User agrees to comply with all Library policies, including the payment of any fees associated with the use of the Makerspace. If the User is under the age of 18, a parent or legal guardian agrees to this Release of Liability on behalf of the minor child and the term "User" applies to both the minor child and any parent or legal guardian.

2. **Assumption of Risk.** User acknowledges the inherent risks in the use of tools, equipment, devices, and hazardous materials of any kind commonly used in electronics construction, fabrication, software design and other technology related activities and that User's participation in such activities and/or use of the Library's Makerspace may result in injury, illness, death or damage to User or User's personal property.

Further, such risks and dangers may be caused by User or other Users. Finally, such injury, illness death or damage to User or User's personal property, may arise from foreseeable or unforeseeable causes. User, and for such heirs, family, estate and assigns, hereby fully assumes all such risks (known, unknown and/or unforeseen) and any others which arise in connection with the use of the Rauchholz Memorial Library's Makerspace.

3. **Release of Liability.** User, including the User's heirs, family, estate, executors and assigns, releases the Rauchholz Memorial Library, its staff, board members, exhibitors, guests, fellow Makerspace users/patrons, employees, agents, guests and assigns from any liability, claims, losses, demands, causes of action whatsoever arising or that could arise out of any damage, loss or injury to User or User's property while using the Makerspace of Rauchholz Memorial Library and/or using any equipment owned by Rauchholz Memorial Library or another User or guest of Rauchholz Memorial Library regardless of whether such loss or injury is as a result of negligence of Rauchholz Memorial Library or its users, guests, agents and

assigns, or is a result of some other cause. This release includes all damages, costs, medical costs, expenses, attorneys' fees and any other losses.

4. **Covenant Not to Sue.** User agrees that User will not, under any circumstances, initiate any legal action or administrative proceeding against Rauchholz Memorial Library, its staff, board members, exhibitors, fellow Rauchholz Memorial Library users/patrons, employees, agents guests, and assigns nor will User assist in the prosecution of any such legal action filed by another, arising out of an injury to the person or property of User while participating in the use of the Makerspace in the Rauchholz Memorial Library. This covenant extends to include the family, estate, heirs, executors, administrators or assigns of User.

5. **Third Party Indemnification.** User indemnifies, saves and holds harmless Rauchholz Memorial Library, its Users, agents and assigns from any and all losses, claims, demands, causes of actions or proceedings of every kind and character which may be initiated by any other persons or organizations and which arise directly or indirectly from the actions of User while engaged in the use of the Makerspace by using the Rauchholz Memorial Library's tools, equipment, materials, space, or educational opportunities. User hereby acknowledges that User has carefully read all of the above provisions, fully understands same, and voluntarily signs this document as a condition of use of the Rauchholz Memorial Library Makerspace

6. **Damage of Tools and Equipment.** If User damages the Makerspace, they will be liable for the damage, which may include replacement costs.

7. **Recordings and Photography Waiver.** User acknowledge that the Rauchholz Memorial Library events may be recorded in audio, visual, and/or audiovisual media and User consents to the making and use of such recordings by the Rauchholz Memorial Library and/or its agents for any purpose. You release the Rauchholz Memorial Library and its employees, agents, assigns and licensees from and waive any claims related to or arising by reason of the making and/or use of any such recordings, including any claims under the Michigan Library Privacy Act. User grants to the Rauchholz Memorial Library the right to use your likeness in connection with the use of the recordings. Photos may be sent to news outlets with names affixed, though names will not be posted in the Library, on our website, or on social media.

8. **Intellectual Property.** User agrees that he/she has the copyright and other intellectual property rights for materials made on the Makerspace printer and is not violating any other person's intellectual property rights.

9. **Use of Facilities, Tools and Materials.** User agrees to use the facilities, tools, and materials in a safe way, and to alert the Rauchholz Memorial Library staff, and/or program leaders when facilities, tools, and materials are being used in a way that could cause harm to themselves or others.

Age, if under 18 ____ or Over 18 (check here) ____

Rauchholz Memorial Library authorized personnel signature

User Name (printed) _____

Parent/Legal Guardian Name (printed) _____

User or Legal Parent/Guardian signature

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