Kent District Library

POLICY MANUAL

June 2023

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KDL POLICY 1.1

MATERIALS SELECTION

LAST REVISED 2.16.23

The purpose of this policy is to: (1) serve as a guide for the librarians of Kent District Library in the process of materials selection; and (2) inform the public of the principles upon which selections for the Library are made. Basic to this policy is the Library Bill of Rights as affirmed by the Kent District Library Board of Trustees.

Kent District Library strives to provide current, factual information to supplement and enrich individual learning, and to provide materials for recreational reading and other leisure time activities. This information should be readily available to the total community regardless of gender, age, education, language, religion, ethnic and cultural background, or mental and physical ability.

STANDARDS FOR SELECTION

Kent District Library is a popular materials library and maintains a varied and up-to- date collection. It attempts to acquire materials of both current and lasting value. Since one library cannot afford all the available materials, it must employ a policy of selectivity. The Executive Director has the overall responsibility for the selection and development of the materials collection according to the principles established by the Materials Selection Policy and other approved policies and procedures. In practice, the responsibility for materials selection is shared with other staff.

Materials are selected to meet patron needs and reflect a variety of viewpoints and opinions. Criteria for consideration include popular demand, literary merit, enduring value, accuracy, authoritativeness, local interest, social significance, importance of subject matter to the collection, timeliness, cost, scarcity of information on the subject, availability elsewhere, and quality and suitability of format.

Fiction – The Library maintains a representative collection of novels and works of fiction to satisfy a wide range of tastes. Ideas of literary merit vary greatly with individuals. Therefore, the Library purchases fiction in many categories.

Non-Fiction – The Library attempts to provide a large general collection of reliable materials embracing the broader fields of knowledge. Legal and medical works will be selected to the extent that they are useful to the lay person.

Minor – Materials are selected to encourage children and families to discover the joy of reading. In order to meet the varied abilities and interests of children, the collection includes materials covering a wide range of knowledge and reading levels, both fiction and non-fiction. The illustrations in books for young people are given as much critical attention as the literary quality of fiction.

Media – The Library recognizes its responsibility to provide access to information, cultural enrichment and recreation through as wide a variety of media as possible. Media is evaluated by the same criteria as printed materials. As new technologies are developed, the Library will investigate the appropriateness of new media formats and will acknowledge the need for experimentation.

Digital Materials – Digital items such as but not limited to eBooks and eAudiobooks shall be selected using the same criteria as printed materials as described above.

Online Databases – The Library makes available a variety of online resources purchased to supplement and enhance the Library's collection. These resources are evaluated on the basis of timeliness, ease of use, and ability to meet patrons' information needs.

Objects – The Library's collection makes a variety of objects available to patrons. Objects are typically high-priced items not needed for regular, sustained use and which provide access to technology that is either helpful or enriching. These objects are evaluated based on their benefit to the community, patron demand, and use of library resources, with the goal of increasing access to technology or high-cost items that patrons wouldn't otherwise have.

KDL POLICY 1.2

GIFTS

LAST REVISED 2.17.22

Kent District Library may legally receive gifts as authorized by the Public Library Gifts and Donations Act 1921 PA 136 (MCL 397.381 et seq.). KDL accepts monetary gifts as well as certain gift materials that reflect the Library's strategic plan. Gifts must be unconditional and non- returnable to be used for the good of the Library System as a whole and housed in the most appropriate location. Gifts of money are acknowledged formally by the Kent District Executive Director and/or the Fund Development Director.

Gifts for the Collection

Gift materials to be added to the Kent District Library collection must meet the Library's needs and the general standards of selection, based on the KDL Materials Selection Policies. Any large donations of materials which would comprise a unique or coherent collection would be subject to restrictions as determined by the Kent District Library Board of Trustees.

Gift materials not accepted into the Library collection may be repurposed at the staff's discretion. Gift materials accepted into the collection become the property of KDL, subject to KDL's Materials Selection Policies. No monetary appraisal is made of materials donated for the collection. The quantity of gift materials may be acknowledged for tax purposes at the request of the donor.

Gifts of money, including memorial gifts, for the purchase of collection materials are accepted by the Library with the understanding that the Library retains the right to select materials it deems appropriate for the collection.

Other Gifts

Gifts other than collection materials are reported at their estimated fair market value at the time of donation and recorded according to Kent District Library's Fixed Assets Policy.

KDL POLICY 1.3

INTELLECTUAL FREEDOM

LAST REVISED 2.18.21

Kent District Library supports the principles of intellectual freedom adopted by the American Library Association and stated in the Library Bill of Rights.

The Library assures equal access to all library resources by patrons within the constraints of Michigan law. Patrons are free to select or reject for themselves any item in the collection. Individual or group prejudice about a particular item or type of material in the collection may not preclude its use by others. Parents or legal guardians have the right and the responsibility to restrict the access of their children to library resources. Parents or legal guardians who do not want their children to have access to certain library services, materials, or facilities should so advise their children. Library staff cannot assume the role of parents or the functions of parental authority.

KDL POLICY 1.4

COLLECTION MAINTENANCE

LAST REVISED 4.21.16

Kent District Library staff routinely evaluates the collection and removes materials in accordance with KDL's weeding guidelines. These materials include those that are worn out, out of date, no longer needed in the quantity originally purchased, no longer circulating, or in formats that have become obsolete.

KDL POLICY 1.5

REFERENCE + RESEARCH

LAST REVISED 2.22.19

Patrons' questions will receive courteous, prompt, and high-quality service responses with complete confidentiality.

In the instance of legal, medical, investment, or tax reference questions, the staff may only guide the patron to the material available on the topic of interest. Staff may not evaluate or interpret the information provided nor may staff define the meaning of terms, offer investment advice, select income tax forms, or serve as a surrogate for a professional in any of the fields listed above. Patrons will be advised to consult with a professional from the above listed fields for additional information or advice.

KDL POLICY 1.6

SHARED COLLECTION

LAST REVISED 1.19.18

Kent District Library offers a shared collection whereby most materials travel between all KDL Branches. This practice is necessary to offer patrons access to the full range of the KDL collection and for the efficient use of system-wide resources.

KDL POLICY 1.7

INTER-LIBRARY LOAN

LAST REVISED 3.17.11

Inter-library loan transactions, in which materials are made available from Kent District Library to another library outside of KDL (or vice versa), are an essential library service to patrons. Kent District Library agrees to participate in inter-library loan to and from other libraries. A fee may be charged for this service. Certain types of materials may not be available through inter-library loan.

2 CIRCULATION

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KDL POLICY 2.1

LIBRARY CARD REGISTRATION

LAST REVISED 3.16.23

All residents within the Kent District Library service area are eligible for a library card. Persons living outside the Kent District Library service area who pay property taxes to a governmental unit within the District are also eligible for a Kent District Library card.

Library cards are non-transferable. All items borrowed are the responsibility of the individual to whom the card is issued.

Minor (under age 18) registrations may be signed by any adult (age 18 or older) willing to assume legal responsibility for library resources. Signatures indicate an acceptance of responsibility for:

- the minor's use of all library resources including access to the Internet;
- supervision of the minor's choice of materials;
- return of all materials when due;
- all losses and damages to materials and equipment borrowed.

When a minor patron turns 18 years of age, he/she assumes responsibility for the library account bearing his/her name including all borrowed items on that account. Any bills for lost or damaged items on the card may be moved to the co-signer's card. If the co-signer does not have a card, a bill will be mailed.

Library cards will have an expiration date in order to update accounts as needed.

KDL POLICY 2.1.1

CARDS FOR VISITING STUDENTS

LAST REVISED 2.16.17

High school exchange students and college students residing in the Kent District Library service area while attending high school or college are eligible for a Kent District Library card.

KDL POLICY 2.1.2

INSTITUTIONAL CARDS

LAST REVISED 5.19.19

If an agency, institution, or business within the Kent District Library service area requests a library card for use by its residents or staff (in their institutional role), a card may be issued if the institution's head or director agrees in writing that the institution will be responsible for bills on any materials lost or

damaged items. Such a card may be used by residents or staff of the institution at the discretion of the institution's director. The card itself must be presented to be honored. KDL will not accept personal identification in lieu of the institutional card. Institutional cards will allow remote access to electronic databases and the digital collection for demonstration purposes.

KDL POLICY 2.1.3

NON-RESIDENT CARDS

LAST REVISED 2.16.23

Residents within the geographical area of the Lakeland Library Cooperative's boundaries who do not qualify for a library card at any Lakeland Library Cooperative location may purchase a KDL non-resident library card for an annual fee of $84.00 or a monthly fee of $7.00 per month. The fee covers all family members in one household and each family member may be issued their own non-resident card. Non-resident cardholders will be issued full access KDL cards, allowing cardholders the same access as standard KDL service area resident cardholders, including KDL's digital collection and MeL access.

KDL POLICY 2.1.4

STUDENT CARDS

LAST REVISED 3.18.21

Kent District Library's goal is to make library services available to all school-aged children. With the Student Card, children who attend any K-12 school can check out a maximum of three books, and have access to KDL internet, research databases and select digital content. Student cards can be issued with no cosigner and will expire once the student turns 18 years of age.

Students are also eligible for a standard KDL minor library card based on residency and an eligible cosigner. Students not eligible for a KDL minor library card can still register for a card at their home library. A maximum of three lost books will be allowed on this card. The card will be deactivated after three lost books.

KDL POLICY 2.1.5

TEMPORARY CARDS FOR ADULTS

LAST REVISED 3.16.23

Adults who are unable to provide proof of residency, either because they are new to the area or are traveling, can have access to library services with a Temporary Card for Adults. This card does not require proof of residency, but adults do need to show an ID card to verify their identity. A maximum of three items in any format may be checked out on this card, excluding Beyond Book items. Internet access will also be available. Temporary Cards for Adults will expire after one year and full privilege cards may be obtained

with proof of residency.

KDL POLICY 2.2

LAKELAND LIBRARY COOPERATIVE MEMBER LIBRARY CARDS

LAST REVISED 5.19.11

All current Lakeland Library Cooperative member library cards will be honored by Kent District Library with the exception of:

- non-resident local use library cards;
- underfunded contract service area cards; and
- institutional cards.

KDL POLICY 2.3

LOST OR STOLEN LIBRARY CARDS

LAST REVISED 5.19.19

It is the patron's responsibility to notify Kent District Library promptly of a lost or stolen library card. If the loss or theft is not reported, the patron is responsible for all materials charged to the library card.

Patrons will be held responsible for lost and damaged item bills accrued prior to the date the loss or theft of the library card is reported. Patrons will not be held responsible for bills accrued after the date on which the loss or theft is reported.

KDL POLICY 2.4

PRIVACY OF USER RECORDS

LAST REVISED 10.23.14

Kent District Library is bound by the Michigan Library Privacy Act (PA 455 of 1982) in which a "library record" is defined as a document, record, or other method of storing information retained by the library that personally identifies a library patron including the patron's name, address, email address, or telephone number, or that identifies a person as having requested or obtained specific materials from a library. The Library Privacy Act provides that a "library record" is not subject to disclosure under the Freedom of Information Act and may not be released or disclosed to any person without the written consent of the person identified in the record unless ordered by a court. Accordingly, Kent District Library will not release nor disclose a "library record" except as provided by the Library Privacy Act or as otherwise required by state or federal law. The Library, however, may use the "library record" for the purpose of retrieving overdue materials, collecting fines, and other library business permitted by law. A Kent District Library employee who receives a request for a public record shall promptly forward that request to the Executive Director.

KDL POLICY 2.4.1

LIBRARY DOCUMENTS

LAST REVISED 5.19.16

Library documents and records (other than patron records covered by the Michigan Library Privacy Act [PA 455 of 1982]) shall be available to the public in accordance with the Michigan Freedom of Information Act (FOIA) [PA 442 of 1976] upon a request which precisely describes the exact library public records desired. The Library need not create new public records to satisfy a request, nor must the Library make a compilation, summary or report of information. Costs associated with responding to a request will be charged to the requester.

The Kent District Library Board of Trustees authorizes the Executive Director to serve as the FOIA Coordinator and to accept and process requests for public records. The Director shall report action taken on FOIA requests at the next regularly scheduled Kent District Library Board of Trustees meeting.

Upon providing Kent District Library's FOIA Coordinator with a written request that describes a public record sufficiently to enable KDL to find the public record, a person has a right to inspect, copy, or receive copies of the requested public record.

A Kent District Library employee who receives a request for a public record shall promptly forward that request to the Executive Director.

Kent District Library may charge a fee for a public record search, the necessary copying of a public record

for inspection, or for providing a copy of a public record. The Library may also require a good faith deposit from the person requesting the public record or series of public records, if the fee exceeds $50.00. The deposit shall not exceed half of the total fee.

KDL POLICY 2.5

LOST AND/OR DAMAGED MATERIALS

LAST REVISED 5.19.19

Kent District Library is not required to send notices for lost or damaged materials, and failure to receive a notice does not relieve the borrower of responsibility to return materials when due.

When lost and damaged item(s) with a combined total of $20.01 or more have been on the account for more than sixty (60) days, Kent District Library will invoice the patron. Kent District Library will suspend a patron's borrowing privileges when the bills on a patron's account exceed $20.00. A patron's borrowing privileges will be restored once the account balance is reduced to $20.00 or under.

KDL POLICY 2.5.1

FEES

LAST REVISED 3.16.23

Kent District Library may charge a fee for specific library services. These may include, but are not limited to, the following:

- faxing;
- inter-library loan services;
- photocopying;
- printing.

KDL POLICY 2.6

AUDIO-VISUAL MATERIALS USE

LAST REVISED 3.16.18

Kent District Library assumes no responsibility for damage to patrons' electronic equipment used to play library audio-visual materials.

KDL POLICY 2.7

BEYOND BOOKS COLLECTION

LAST REVISED 7.15.21

To borrow a Beyond Books item, the borrower must:

- be 18 years of age or older
- present a valid picture ID
- be a KDL cardholder in good standing

Kent District Library (KDL) reserves the right to refuse service to anyone who damages equipment or exhibits a pattern of returning equipment late, beyond reasonable exception.

By borrowing any Beyond Books items from Kent District Library, the borrower agrees to be bound by the terms as identified below:

- I understand that I am financially responsible for the Beyond Books item(s) and accessories borrowed and for the safe and timely return of the item(s) and accessories.
- If the item(s) and/or any of its accessories are damaged, lost or stolen, I understand that I am responsible for all applicable charges to replace the item(s) and agree to pay all costs associated with lost or damaged item(s) that were borrowed on my KDL account. By borrowing any Beyond Books item(s), I agree that I have read, understand, and agree to the Conditions of Use listed below.
- I agree to use all Beyond Book item(s) at my own risk and that KDL is not responsible for any damages resulting from my use of Beyond Books item(s).
- I agree to return all Beyond Books item(s) by the time and due date listed on all digital or printed receipts. I understand that item(s) not returned by the billing date may be assumed stolen and the authorities could be contacted. I will be financially responsible for replacement costs for the borrowed item(s). I consent to KDL's release of any information or library records to the authorities or third parties who might assist in the recovery of borrowed Beyond Books item(s) or prosecution for item(s) not returned.

CONDITIONS OF USE

KDL Beyond Books item(s) are for use by authorized borrowers of Kent District Library who have no outstanding library obligations.

With the KDL Go Pro Camera, authorized borrowers must provide their own Micro SD card and remove it before returning the item to the library. KDL is not responsible for lost or stolen Micro SD cards.

Hotspots may only be used in the continental US. In other words, they cannot be used in Alaska, Hawaii, Canada or Mexico.

OVERDUE HOTSPOTS

At ten days overdue, the KDL Hotspot will be deactivated and the borrower will be charged for the replacement cost.

REPLACEMENT/DAMAGE COSTS

If the Beyond Books item and/or accessories are lost, stolen or damaged, the borrower will be held responsible by KDL for all applicable costs as determined by the Library's cost paid at original time of purchase. More information may be obtained by asking a staff member or by calling KDL at 616-784-2007.

3 FACILITIES + OPERATIONS

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3.10	Building Safety

KDL POLICY 3.1

EXHIBITS

LAST REVISED 5.20.21

Kent District Library (KDL) provides a venue for local artists/exhibitors to display visual art and artifacts to increase awareness and appreciation of history and the arts.

Suitable space for exhibits is not available at all branches. Some local governmental units may have guidelines on how and where materials are displayed in the facility and KDL will honor those guidelines.

The branch manager will work with staff members (or a local community committee) to make decisions regarding the selection of materials to be displayed. In making decisions regarding the suitability of the work to be exhibited, the branch manager or his/her designee will take into consideration the use of the library by all segments of the community and all age groups. Selection priority may be given to local artists/exhibitors and those who have not previously exhibited in the library.

The exhibit space shall not be used for advertising or political purposes. The artist/exhibitor assumes all liability for the loss of, or damage to, materials on display. The library reserves the right to cancel the exhibition for any reason.

KDL POLICY 3.2

LITERATURE DISPLAY + DISTRIBUTION

LAST REVISED 5.20.21

KDL adheres to the principle that the Library is the institution in our society which provides materials representing all points of view in all fields including political, social, and religious, no matter how controversial or objectionable these views may be to some people.

To support this basic principle, and to foster positive relationships within the community, the following policy has been established:

1. Informational material of public interest from nonprofit organizations, educational institutions, and governmental agencies may be displayed or distributed in branches where space is available. Material for display or distribution will be permitted at the discretion of the branch manager. The primary purpose of such material must be to inform the public of the organization's programs, services and events. Examples include:

    - KDL fundraising materials;
    - Friends of the Library materials;
    - promotional materials for cultural organizations such as the ballet, orchestra, museums and theater groups;
    - special event fliers for nonprofit organizations from Kent County and neighboring communities; and
    - local magazines and newspapers that are distributed free of charge and have received prior approval from KDL.

2. Prior to an election, branches may have available, on an equal basis, voter information and campaign literature about political candidates appearing on local ballots. Any materials that directly or indirectly make reference to an election or a candidate must be removed prior to Election Day if within 100 feet of any entrance to a polling place or in a hallway used by voters to enter or exit a polling place.

3. Prior to an election, campaign material relating to ballot issues may be placed in library branches for display and/or distribution to the public. If there is formal opposition to a ballot issue, equal consideration shall be given. Campaign materials that directly or indirectly make reference to a ballot issue must be removed prior to Election Day if located within 100 feet of any entrance to a polling place or in a hallway used by voters to enter or exit a polling place.

4. Petitions may not be displayed or circulated in library buildings except as permitted by local municipal ordinance.

KDL POLICY 3.3

PUBLIC RELATIONS

LAST REVISED 4.21.22

The Chairperson of the Library Board of Trustees is the official spokesperson for the Board. The Executive Director is the official spokesperson for the Library.

The Director of Engagement serves as media liaison for the Board and the Library Administration. Whenever official media statements are required pertaining to library operations (emergencies; or policies, procedures, programs, services, positions on district-wide issues, etc.) the Marketing Communications Department will coordinate with local newspapers, magazines, professional journals, radio and television stations. Staff are not to provide "off the record" comments to the media.

KDL POLICY 3.4

LIBRARY PROGRAMS

LAST REVISED 5.20.21

Responsibility for library program development is vested in the Executive Director, and such members of the staff whose job descriptions include program responsibilities. Library programs may utilize volunteers and may be developed cooperatively with Friends groups, governmental units, community organizations, and individuals. A program is any presentation given in or out of the Library (in person or by technological means) by a Library staff member or other presenter and sponsored by the Library, the Friends, or a partnership including the Library.

Library programs support the KDL mission and strategic plan. They are planned in advance to meet staffing and publicity deadlines. Library programs may require registration. Limits on the number of people able to attend may be necessary due to facility, program, performer limitations or other requirements pertaining to safety.

Library programs are funded in part by the operating budget with additional support from KDL fundraising activities, grants, contributions from the Friends, gifts, endowments and partnerships.

No individual or organization who presents a program at the library will be permitted to sell their product or services during their presentation or during their time at the library (with the exception of authors who come to speak about their books or performers who have recordings of their music). KDL requires a contract to be executed by program presenters.*

Organizations or business affiliation of presenters or co-sponsoring agencies will be used by the Library in promoting programs. This does not constitute endorsement.

*Contract may include a background check.

KDL POLICY 3.5

LOST + FOUND POLICY

LAST REVISED 5.20.21

KDL will retain valuable lost and found items at the branch location where the items are found. When possible, staff will contact the owner to inform him/her that a lost item has been found and note how long the library will hold the item.

Debit cards, credit cards, purses, identification, and wallets that are found at KDL locations will be held until the close of business on the following day. Unclaimed debit and credit cards will be reported lost and then destroyed. Unclaimed purses, wallets and identification will be turned over to local police. KDL locations that do not have local police within 10 miles will turn over purses and wallets to the Kent County Sheriff's Department within five days.

Other valuable items, such as electronics and jewelry will be held for three months. After three months, all unclaimed items will be turned over to the Kent County Sherriff's Department.

Loose money found at the library will be held until the close of business each day if the amount is less than $20.00. If unclaimed, it will be donated to the branch's Friends group (or to KDL in the absence of such a group). Loose money in an amount of $20.00 or more will be retained for a period of three months and then donated to the branch's Friends group (or to KDL in the absence of such a group), if unclaimed.

Non-valuable items (such as clothing) found at KDL locations will be placed in the lost and found bin at the branch where the items are found. As needed, contents of these bins will be donated to a local charity.

KDL POLICY 3.6

BRANCH LIBRARY LOCATIONS

LAST REVISED 4.21.22

The KDL strives to make efficient and effective use of its resources. Therefore, it is the policy of the KDL to work with local communities in locating new branch sites a minimum of four miles apart, unless justified by demographics.

KDL POLICY 3.6.1

BUILDING, ENGLARGING OR RENOVATING LIBRARY BUILDINGS

LAST REVISED 5.20.21

KDL cooperates with all governmental units in making library materials and services available to the public in the buildings owned by the governmental units.

When library buildings are being built, expanded, or renovated, KDL will provide the same services that were provided prior to the building changes. In addition, KDL staff will work with the governmental units to provide desired changes within both KDL budget constraints and Strategic Plan goals. KDL must balance the needs of the whole system while considering the desires of individual branches. Changes may include additional open hours, personnel, computers, equipment and moving expenses for KDL-owned computers, equipment and materials. If library buildings are downsized, library services will be re-evaluated in conjunction with the governmental units affected.

When changes are being considered by the KDL staff or the governmental unit, KDL staff must be involved with personnel from the governmental unit in order to achieve the best possible results for all. When evaluating library facility needs, KDL staff will apply recognized state and national guidelines and standards.

Those municipalities that currently do not have a library facility in their community, but are considering building one, are encouraged to consider partnering with other communities.

KDL POLICY 3.6.2

SUPPORT FOR BUILDING PROJECTS

LAST REVISED 5.20.21

KDL staff will work with local governmental units to plan new buildings or expansions of existing buildings. Staff will advise planners, architects, and elected officials of Library needs and building requirements. In support of the expansion or building improvement efforts of local governmental units, staff will provide factual printed and graphic design work for posters and other print material. The Marketing

Communications Department will coordinate these support efforts. KDL may also provide factual informational mailings to library patrons consistent with campaign and privacy act laws. Informational mailings as well as printing and design support work will be provided as approved by the Executive Director and within budget limitations.

Michigan law forbids the expenditure of public funds to advocate a vote in favor of a millage or bond issue election. Therefore, KDL staff may not, on paid library time, work on political activities to promote millage or bond issue elections, or disseminate materials which advocate a favorable vote on a millage or bond issue election. Nothing in this policy prevents staff members, on their personal time, from expressing their own personal views, expending their own personal funds, or providing their own personal volunteer services consistent with campaign laws.

KDL POLICY 3.6.3

ACCEPTANCE OF NON-KDL TECHNOLOGY

LAST REVISED 5.20.21

The planning and funding for future technology is the responsibility of the KDL. However, KDL constituent communities, if they so desire, may donate monetary funds locally to enhance technology service to their community. These monetary funds will be used to purchase specific technologies that are either new and emerging in nature or consistent with current year's KDL purchases for other branches.

Specific technology gifts may also be occasionally accepted if they are consistent with the current year's KDL purchases for other branches, and/or approved by the KDL Information Technology Director to ensure the devices can be effectively supported and maintained by KDL staff. Any potential technology donation must be coordinated in advance of donation (and, if necessary, actual purchase) with the KDL Information Technology Director. The equipment purchased by or with the approval of the KDL becomes the property of the KDL and its future use and ultimate disposable will be at the sole discretion of KDL.

KDL POLICY 3.7

MEETING ROOM USE

LAST REVISED 4.21.22

Meeting rooms in the Kent District Library Branches are made available for use in accordance with local governmental unit guidelines.

Programs in public meetings room must not disrupt normal Library operations and use. Persons attending the meeting are subject to all Library rules and regulations concerning behavior in the building.

KDL POLICY 3.8

PLANNED CLOSINGS

LAST REVISED 5.20.21

Every effort will be made to keep KDL facilities open to serve the public as scheduled. In some instances, however, building closures may be required for the maintenance and upkeep of facilities. Closures may also be necessary due to special events in the vicinity of a library building or other circumstances outside the control of KDL. All planned closings are approved by the Library Board and announced to the public with as much forewarning as possible.

KDL POLICY 3.8.1

EMERGENCY CLOSINGS

LAST REVISED 5.20.21

Every effort will be made to keep KDL facilities open to serve the public as scheduled. Whenever a situation arises that, in the judgment of the branch manager or his/her designee, jeopardizes anyone's personal safety or well-being, the building may be closed. Such situations could include, but are not limited to: power failure, flooding, fire, vandalism, or extreme weather. In certain instances, the KDL Executive Director may close the entire system.

KDL POLICY 3.8.2

BEREAVEMENT OR FUNERAL CLOSINGS

LAST REVISED 4.19.19

In the event of an employee's death, arrangements may be made for staff to attend the memorial service/funeral. These arrangements may include, at the discretion of the Executive Director, closing the library branch(es) for a period of time.

KDL POLICY 3.9

LIBRARY + PERSONAL VEHICLES

LAST REVISED 5.18.23

All employees who operate company and private vehicles on KDL business, as well as employees who are subject to perform any driving duties as assigned must have a valid Michigan driver's license, proof of insurance (if driving their own vehicle) and obey state laws while using KDL and personal vehicles. State Motor Vehicle (MVRs) will be obtained by the Facilities Manager and used as the source of verifying driver history. MVRs will be obtained and updated by the State of Michigan through subscriptions services to comply with KDL's insurance provider guidelines. KDL will obtain written authorization from employees who drive for regular KDL business. Major violations on the employee record will prohibit an employee from driving on KDL Business. Smoking, using e-cigarettes, vaping, or chewing tobacco is prohibited in the KDL vans and bookmobile. Use of cell phones, taking calls, making calls or texting, is prohibited while driving the KDL Van or Bookmobile.

KDL POLICY 3.10

BUILDING SAFETY

LAST REVISED 5.20.21

The KDL is concerned about the health and welfare of all employees. Therefore, it is the policy of the KDL that no employees work alone at any KDL facility. Staff scheduling must be arranged in such a way to ensure that there is always a minimum of two Library employees in the building during all open hours.

KDL POLICY 3.10.1

KEYS TO BUILDINGS

LAST REVISED 5.20.21

In the interests of safety and security, only authorized individuals will be given keys to KDL facilities.

KDL POLICY 3.10.2

LIBRARY ACCESS WHEN CLOSED

LAST REVISED 5.20.21

In the interests of safety and Library liability, only authorized individuals or other individuals approved in writing by the KDL Board or the Executive Director may have access to the physical spaces occupied by the KDL when they are closed.

4 PATRON BEHAVIOR

4.1: Safety + Personal Behavior

- 4.1.1 Violations of Law
- 4.1.2 Weapons
- 4.1.3 Drugs, Alcohol + Smoking
- 4.1.4 Animals
- 4.1.5 Personal Property
- 4.1.6 Blocking of Aisles, Doors + Entrances
- 4.1.7 Staff-Only Areas
- 4.1.8 Interference with Staff
- 4.1.9 Unauthorized Use
- 4.1.10 Considerate Use
- 4.1.11 Noise
- 4.1.12 Odor
- 4.1.13 Bodily Fluids + Waste
- 4.1.14 Food + Drink
- 4.1.15 Restrooms
- 4.1.16 Dress Codes
- 4.1.17 Harassment
- 4.1.18 Identification
- 4.1.19 Recreational Equipment + Personal Transport Devices
- 4.1.20 Panhandling, Solicitation + Selling
- 4.1.21 Campaigning, Interviewing, Petitioning, Etc.
- 4.1.22 Children in the Library
- 4.1.23 Face Mask Requirement during Pandemic
- 4.1.24 Sleeping in the Library

* Summary of Patron Responsibilities

PATRON BEHAVIOR , cont.

4.2: Use + Preservation of Library Materials + Property

4.2.1 Copyright Policy

4.3: Acceptable Technology Use

4.3.1 Photography + Videography Policy

4.3.2 Social Networking Policy

*Acceptable Use Policy

4.4: Disciplinary Process for Library Facilities

4.5: Right of Appeal

KDL POLICY 4.1

SAFETY + PERSONAL BEHAVIOR

LAST REVISED 10.25.18

The Kent District Library (the "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 has adopted this Patron Behavior Policy. The purpose of the 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 and all branches—interior and exterior—and all grounds controlled and operated by the Library ("Library facilities") and to all persons entering in or on the premises, unless otherwise specified.

KDL POLICY 4.1.1

VIOLATIONS OF LAW

LAST REVISED 10.25.18

Committing or attempting to commit an activity in violation of federal, state, or local law, ordinance or regulation (including but not limited to assault, larceny, and removing library material from the property without authorization through the approved lending procedures or vandalism) is prohibited.

KDL POLICY 4.1.2

WEAPONS

LAST REVISED 10.25.18

Carrying guns, pistols or other weapons, except as specifically permitted and exempt from local regulation by law, is prohibited.

KDL POLICY 4.1.3

DRUGS, ALCOHOL + SMOKING

LAST REVISED 5.18.23

Possessing, selling, distributing, or consuming any alcoholic or intoxicating beverage, illegal drug, or drug paraphernalia is prohibited; alcohol may be permitted at certain Library-sponsored events if specifically approved by the Library, and within compliance of state and local laws.

Persons noticeably under the influence of any controlled substance or alcoholic or intoxicating liquor are not allowed on Library property.

Smoking, using e-cigarettes, vaping, or chewing tobacco is prohibited on Library property.

KDL POLICY 4.1.4

ANIMALS

LAST REVISED 6.14.19

Animals are not permitted in the Library other than therapy animals and service animals (as defined by law) for those individuals with disabilities, those used in law enforcement, or for Library programming.

Patrons are legally responsible for the behavior of their service and therapy animals. Per state law, animals will be asked to leave if the animal is out of control and causes a significant disturbance, or if the animal is not housebroken, has an accident, or otherwise damages or soils library property.

KDL POLICY 4.1.5

PERSONAL PROPERTY

LAST REVISED 10.25.18

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. The Library may also limit the size of items. For example, the Library prohibits large items such as suitcases, duffle bags or large plastic garbage bags.
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 be left unattended or take up seating or space if needed by others.

The Executive Director or designee may make exceptions and accommodations for patrons.

KDL POLICY 4.1.6

BLOCKING OF AISLES, DOORS + ENTRANCES

LAST REVISED 6.14.19

All doors, aisles, and entrances must remain obstacle-free to keep in compliance with fire code and to prevent tripping hazards for other patrons. This includes a prohibition of running power cords across aisles or other areas that are used for walking.

KDL POLICY 4.1.7

STAFF-ONLY AREAS

LAST REVISED 5.18.23

Patrons shall not be permitted in any areas designated as “staff only” unless otherwise permitted by the Executive Director, designee or accompanied by a staff member.

KDL POLICY 4.1.8

INTERFERENCE WITH STAFF

LAST REVISED 10.25.18

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 extended period of time on non-library related topics, inappropriate personal comments, sexual advances, or physical and/or verbal harassment.

KDL POLICY 4.1.9

UNAUTHORIZED USE

LAST REVISED 6.14.19

Patrons must leave the Library at closing time and may not use the library after closing time unless authorized by the Executive Director or his or her designee. Furthermore, 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 Executive Director, his or her designee, or the Library Board.

KDL POLICY 4.1.10

CONSIDERATE USE

LAST REVISED 10.25.18

Behaviors that disrupt the library use of other individuals or in any way endanger staff or other patrons are prohibited. Such behaviors include but are not limited to:

1. Spitting;
2. Running, pushing, shoving or other unsafe physical behavior;
3. Climbing furniture;
4. Using obscene or threatening language or gestures.

KDL POLICY 4.1.11

NOISE

LAST REVISED 10.25.18

Producing or allowing any loud, unreasonable, or disturbing noises in designated "quiet areas" of the library that interfere with other patrons' use of the Library or which can be reasonably expected to disturb other persons or have the intent of annoying other persons, including yelling, cheering, talking (with others or in monologues) or noises from electronic, entertainment, and communication devices, such as cell phones, tablets, headphones, and radio, is prohibited. Youth areas are not designated as a quiet area and may have more noise.

KDL POLICY 4.1.12

ODOR

LAST REVISED 10.25.18

Offensive odor, including but not limited to odor due to poor hygiene or overpowering perfume or cologne that causes a nuisance is prohibited.

KDL POLICY 4.1.13

BODILY FLUIDS + WASTE

New 3.18.2021

Patrons may not be in the library with bodily fluids and/or waste on themselves, their clothes or their belongings. Patrons must also not allow bodily fluids or waste to spill onto others or otherwise come in contact with furniture or other surfaces in the Library where patrons or staff could be exposed.

KDL POLICY 4.1.14

FOOD + DRINK

LAST REVISED 10.25.18

Eating or drinking may occur in designated areas of any Kent District Library branch. Eating or drinking in Library meeting rooms is subject to rules of the local governmental unit.

KDL POLICY 4.1.15

RESTROOMS

LAST REVISED 5.18.23

Misuse of restrooms, including laundering, sleeping, shaving, hair cutting or trimming, bathing, sexual activity and cooking is prohibited. Library materials may not be taken into restrooms.

KDL POLICY 4.1.16

DRESS CODE

LAST REVISED 10.25.18

Shirts and shoes are required for health reasons and must be worn at all times inside the Library and on Library property.

KDL POLICY 4.1.17

HARRASSMENT

LAST REVISED 10.25.18

Staring, photographing, video recording, audio recording, following, stalking, harassing, arguing with, threatening, or behaving in a manner (1) which can reasonably be expected to disturb Library users or staff while such staff or patrons are in the Library or on Library property; and (2) that interferes with the Library patrons' use of the Library or the ability of the staff person to do his or her job is prohibited.

KDL POLICY 4.1.18

IDENTIFICATION

LAST REVISED 10.25.18

Patrons must provide identification to Library staff when requested. Reasons for identification include but are not limited to safety, the filing of an incident report, and library card registration.

KDL POLICY 4.1.19

RECREATIONAL EQUIPMENT + PERSONAL TRANSPORT DEVICES

LAST REVISED 10.25.18

Use of skateboards, rollerblades, roller skates, or other wheeled form of recreational equipment is not allowed in the Library or on Library property. Library patrons must park bicycles or other recreational vehicles only in authorized areas. Wheelchairs and other personal transport devices are permitted by those individuals with disabilities or injuries.

KDL POLICY 4.1.20

PANHANDLING, SOLICITATION + SELLING

LAST REVISED 6.14.19

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 Executive Director.

Selling merchandise on Library property without prior permission from the Executive Director is prohibited.

KDL POLICY 4.1.21

CAMPAIGNING, PETITIONING, INTERVIEWING, ETC.

LAST REVISED 10.25.18

Campaigning, petitioning, interviewing, survey-taking, pamphleteering, canvassing and soliciting are prohibited inside the Library building.

Campaigning, petitioning, interviewing, survey-taking, pamphleteering, canvassing and soliciting outside the Library building but on Library property are subject to the following requirements:

a. Persons or groups are required to sign in at the Checkout Desk in advance.
b. Use of the Library property does not indicate the Library's opposition or endorsement of the candidate or issue that is the subject of the petition, interview, campaign or discussion.
c. Permitted areas for campaigning, petitioning, interviewing, survey-taking, pamphleteering, canvassing and soliciting outside of the Library building is determined by the municipality that owns the library facility.
d. No person shall block ingress or egress from the Library building.
e. Permitted times will be limited to the operating hours of the Library.

Campaign material, literature or petitions may not be brought into the Library, posted at the Library or left on Library property.

KDL POLICY 4.1.22

CHILDREN IN THE LIBRARY

LAST REVISED 10.25.18

Use by Children

Children are welcome and encouraged to use the Library at all times. The Library desires to make each visit an important one for the child. A "Child" means a minor under the age of 18.

Rules and Regulations Regarding Children

1. All patrons, including children, are expected to comply with the Library's policies. Parents, guardians or responsible caregivers shall review and be fully aware of all Library policies governing children, particularly the Internet Use Policy.

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

3. Library staff will not be expected to supervise or monitor children's behavior. Children under the

age of 8 must be attended by a parent, guardian or responsible caregiver. The parent, guardian or responsible caregiver (who must be at least 14 years old) shall remain in the Library at all times, within reach. If a child under the age of 8 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. If a child under the age of 5 is attending a Library-sponsored program on the premises, the parent, a guardian, or responsible caregiver is to accompany the child for the entire duration of the program.

4. Children of any age who, because of developmental disability, mental illness, or physical disability, require supervision or personal care shall be attended by a parent, guardian or responsible caregiver at all times.

5. Staff will not be responsible if unattended children of any age leave the Library premises alone or with other persons. Further, staff will not be responsible for children 8 years or older who may be asked to leave the Library if the child is in violation of Library policy.

6. We request that all unattended children be picked up at least ten minutes before closing time. Parents, guardians and responsible caregivers need to be aware of when the Library closes.

7. Children 8 years or older must know their telephone number and other contact information if they are unattended at the Library. It is a violation of Library policy to not pick up your unattended child immediately if the Library calls.

Contact of Parent or Guardian

Library staff may attempt to contact a parent, legal guardian, custodian or caregiver when:

- The health or safety of an unattended child is in doubt.
- A child is frightened while alone at the Library.
- A child has been left unattended for an extended period of time, or multiple times.
- The unattended child has not been met by a parent, legal guardian, custodian or responsible caregiver at closing time. A child is considered unattended at closing time if the child is under the age of 8 or the child needs assistance procuring transportation.

Unattended Children at Closing

If a parent, legal guardian, custodian or caregiver cannot be reached by closing time or fails to arrive within a reasonable time after being contacted, Library staff may contact law enforcement officials to take charge of the situation involving the unattended child. Library employees are not permitted to transport an unattended child or vulnerable adult under any circumstances.

If the parent, legal guardian, custodian or caregiver can be reached by closing time, the staff member shall explain the Library's policy and provide a copy of this policy.

KDL POLICY 4.1.23

FACE MASK REQUIREMENT DURING PANDEMIC

LAST REVISED 5.20.21

It is the policy of the Kent District Library (KDL) to follow all federal, state and local orders, including the Executive Orders of the Michigan Department of Health and Human Services (MDHHS). **When there is a federal, state or local order requiring people to wear face coverings while in indoor public spaces, KDL shall also require all patrons to wear face coverings while visiting all KDL locations.**

In support of the health and safety of all those who enter the library as defined by the MDHSS, all patrons and staff (except those exempted as defined by federal, state and local orders) must wear a face mask* covering their nose and mouth while inside any KDL location (unless the patron is unable medically to tolerate a face covering). Disposable face masks will be provided for those who do not have their own.

Refusing to follow the mask requirement will be considered a violation of the Library Patron Responsibilities. Patrons who violate these rules and responsibilities will be asked to leave the library. Patrons may appeal this decision by contacting the Executive Director, or the Director's designee, in accordance with KDL Policy 4.5: Right of Appeal: https://www.kdl.org/sites/default/files/kdl-policy-manual.pdf.

Curbside service will be offered as a reasonable accommodation to those without medical conditions who do not wish to wear a mask.

* MDHHS defines a face mask as a tightly woven cloth or other multi-layer absorbent material that closely covers an individual's mouth and nose. Medical or surgical grade masks are included within this definition. The CDC does not recommend the use of face shields as a substitute for cloth face masks. However, a face shield that covers the eyes, nose and mouth can be worn in addition to a cloth mask if desired. Moreover, a face shield may be worn by younger children who are not required to wear a cloth mask, in other settings when a face mask is not required, or by athletes under certain conditions.

KDL POLICY 4.1.24

SLEEPING IN THE LIBRARY

New 5.18.23

Sleeping in the library is prohibited when the behavior is disruptive to others using the library. Staff may intervene when the sleeping is disruptive, if the patron may need medical help or if the patron is unresponsive. Behaviors that may be considered disruptive include but not limited to:

1. fully laying out on a couch with feet on the furniture;
2. snoring loudly;
3. occupying multiple workspaces;
4. sleeping at a public PC that is needed by others;
5. leaving a child unattended while sleeping.

LIBRARY PATRON RESPONSIBILITIES

Kent District Library and its branches support the right of all individuals to use the library safely and without discrimination. In order to properly maintain a clean, safe, and comfortable environment for our patrons and employees, the Kent District Library Board has adopted the following rules and responsibilities:

- Obey all laws, library policies, and local ordinances. Stealing, defacing, or damaging library equipment, materials, or facilities is not allowed.
- Respect other patrons and employees. Do not annoy or harass other persons, engage in loud or disruptive conduct, or cause a public disturbance.
- Solicitation and loitering are not allowed.
- For your children's safety, do not leave them unattended.
- To protect your personal belongings, do not leave them unattended.
- Shirt and shoes are required.
- The library is a smoke-free building.
- No pets allowed in the library.
  **Service and therapy animals are permitted*
- Offensive odor, including, but not limited to odor due to poor personal hygiene or overpowering perfume or cologne, that causes a nuisance is not allowed.
- Sleeping, when disruptive to others, is prohibited in the library.
- In support of the health and safety of all those who enter the library as defined by MDHSS, all patrons and staff (except those exempted as defined by federal, state and local orders) must wear mask* covering their nose and mouth while inside any KDL location (unless the patron is unable medically to tolerate a face covering). Disposable face masks will be provided for those who do not have their own.

Patrons who violate these rules and responsibilities will be asked to leave the library. They can appeal this decision by contacting the Executive Director or the Executive Director's designee, in accordance with KDL Policy 4.5: Right of Appeal.

KDL POLICY 4.2

USE + PRESERVATION OF LIBRARY MATERIALS + PROPERTY

LAST REVISED 10.25.18

Patrons must not deface, vandalize, or damage library property, or improperly remove Library materials, equipment, or furniture. Patrons shall be responsible to reimburse the Library for costs incurred by the Library for violating this provision. Patrons shall not cause damage by returning books containing bedbugs, cockroaches, moths, other bugs or bringing bedbugs into the Library.

KDL POLICY 4.2.1

COPYRIGHT POLICY

LAST REVISED 5.18.23

U.S. Copyright law (Title 17 U.S. Code) prohibits the unauthorized reproduction or distribution of copyrighted material, except as permitted by the principles of fair use. Additionally, individuals may not copy or distribute electronic materials including email, text, images, programs, or data without the explicit permission of the copyright holder. Any responsibility for the consequences of copyright infringement lies with the user. Kent District Library expressly disclaims any liability or responsibility arising from use of its equipment or technology, including use of information obtained through its electronic information systems.

KDL POLICY 4.3

ACCEPTABLE TECHNOLOGY USE

LAST REVISED 5.20.21

The Library allows access to a variety of electronic resources. This includes the KDL catalog, the catalogs of other libraries, a variety of databases, and the Internet. The Internet stations also provide access to a variety of office software. No station provides support for all file types, browser plug-ins, or Internet technologies. The Library recognizes this is a dynamic environment with programs and content that constantly changes.

Kent District Library neither has control over resources offered through the Internet nor has complete knowledge of what is on the Internet. Information on the Internet may be reliable and current or may be inaccurate, out-of-date, and unavailable at times. Some content may be offensive. Library users access the Internet at their own discretion. The Internet is not governed by any entity, so there are no limits or checks on the kind of information contained there. Only a user can decide on the accuracy, completeness, and currency of the content.

Consistent with the Library Privacy Act, MCL 397.601 et seq. ("Privacy Act"), and this Acceptable Use Policy, Kent District Library respects the privacy of patrons when they use a Library computer. The Library reserves the right, however, to monitor a patron's use of a Library computer for compliance with this Acceptable Use Policy. Although the Library generally shall not retain a record of a patron's use of a Library computer beyond 24 hours, the Library may retain such a record for any investigation and determination of a potential or actual violation of this Policy (including appeals).

In particular, and without limiting the foregoing, Library staff may produce a screen shot of a Library computer for evidentiary purposes if a Library staff member has a reasonable suspicion that a patron is using the computer in violation of this Acceptable Use Policy. Any record of a patron's use, including a screen shot, shall be retained by the Library only so long as appropriate for any investigation and determination regarding a potential or actual violation. By accepting this Policy prior to using a Library computer, a patron is consenting to monitoring of the patron's use of the Library computer (including screen shots).

Filtering

In accordance with Federal and State law (the Children's Internet Protection Act, 47 USC §254 and 20 USC §101, and Section 6 of the Privacy Act), all Library computers with Internet access are filtered. Note, however, that no filter is 100% effective. Parents or legal guardians are responsible for their minor child's reading, listening, and viewing of Library material, including the Internet.

Compliance with the Children's Internet Protection Act (CIPA) requires filters that block access to visual depictions that are obscene or child pornography, as defined by 47 USC §254. CIPA also requires protection against access by patrons under age 17 to visual depictions that are harmful to minors, as defined by 47 USC §254. A patron who is at least 17 years of age may request the disabling of software used to filter visual depictions on a computer used by that patron, provided that he/she will use the unfiltered computer for

bonafide research or other lawful purposes. Library staff will not inquire into the reasons for disabling the filter.

Patrons are responsible for complying with this Policy when accessing the Internet. In addition to other provisions of this Policy, patrons (including minors) shall not access visual depictions that are obscene or child pornography as defined by Federal law (47 USC§254(h)(7)(E), (F)) and shall not access or view obscene matter as defined in §2 of 1984 PA 343, MCL 752.362 (PA 343). In addition, patrons who are minors for purposes of Federal law shall not access visual depictions that are harmful to minors as defined by Federal law (47 USC§254(h)(7)(G)) and patrons who are minors under State law shall not access or view sexually explicit matter that is harmful to minors as defined in PA 343. Subject to other demands on staff time for library services, the Library staff will make a good faith effort to periodically monitor the use of Library computers by minors. Notwithstanding the foregoing, the Library holds the parents or legal guardians responsible for their minor children's use of the Internet in light of the fallibilities of filters and other demands on Library staff time.

In order to further comply with CIPA the Library has taken certain measures to assist in the safe and effective use of the Internet by individuals under the age of 17, as follows:

To address the issue of access by minors to inappropriate matter on the Internet, including material that is harmful to minors, the Library:

a. Maintains the filtering program described above to block Internet access to visual depictions that are obscene, child pornography and, in the case of use by minors, harmful to minors.
b. Allows adults to request that content filters be turned off.

To address the issue of the safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications, as well as unauthorized disclosure of, use, and dissemination of personal identification regarding minors, the Library urges minors to follow the safety guidelines below:

1. Never give out identifying information such as home address, school name, or telephone number.
2. Let parents or guardians decide whether personal information such as age or financial information should be provided online.
3. Never arrange a face-to-face meeting with someone through a computer without parent or guardian approval.
4. Never respond to messages that are suggestive, obscene, or threatening.
5. Remember that people online may not be who they say they are.

To address the issue of unauthorized access, including so-called "hacking" and other unlawful activities by minors online, minors and all other Library Internet users are required to agree to an online Internet User Agreement that states that "Library computers are not to be used for any illegal activity."

In addition, if a patron requests a specific site to be unblocked from the filtering program, the branch manager

shall refer the request for review by administrative staff to determine whether it contains obscene matter or sexually explicit matter that is harmful to minors. If it does not, the administrative staff may authorize the system wide unblocking of the site. The patron will be informed of the decision in writing. The decision may be appealed in writing within ten (10) business days to the Executive Director, or the Executive Director's designee, whose decision shall be final.

Violations

The Library's computers, network, and Internet connection may not be used for any illegal activity or in an unauthorized manner in violation of this Acceptable Use Policy. Illegal acts will be prosecuted to the full extent of the law.

Users violating this Policy will first be asked to comply. For individuals who repeatedly violate this Policy after previous warnings, the Library reserves the right to prohibit use of the Library's computers, network, Internet connection, and/or the Library for a period up to 72 hours by action of the branch manager or the staff member in charge. An individual may appeal this decision to the Executive Director, or the Executive Director's designee.

The Library also reserves the right to prohibit use of the Library's computers, network, Internet connection, and/or the Library for a period of time exceeding 72 hours by action of the Executive Director. In such instances, an individual will be informed of the decision in writing by certified mail, and may appeal this decision in writing within ten (10) business days to the Executive Director, or the Executive Director's designee, whose decision shall be final.

Time and Other Limits

Each individual is allowed to use the Library's public computers one (1) hour per day. More time may be allowed if computer stations are free. Extensions for additional time are done electronically at those branches with reservation software. At branches without this software, patrons may ask staff to extend the time limit.

All computers will be electronically shut down five (5) minutes before the Library closes.

Precautions

Software and other files downloaded from the Internet may contain viruses or spyware that may infect other computers. Kent District Library is not responsible for damage or loss that may occur from use of the Library's computers.

Since the Internet is not secure, patrons are responsible to ensure that their personal data is not compromised. Sending any information, including credit card numbers, via the Internet is at the sole risk of the user. Kent District Library has no control over the security of this data.

KDL POLICY 4.3.1

PHOTOGRAPHY + RECORDING POLICY

LAST REVISED 01.21.22.

The Kent District Library permits photography and other forms of recording (videography, filming, audio,etc.) under the conditions listed below to the extent that it does not interfere with the operations, programs and activities of the Library.

1. Casual amateur photography and other forms of recording are permitted for patrons and visitors provided it does not interfere with the operations of the Library or individuals using the Library and not capture any identifiable likenesses of individuals without their permission. Photographers are responsible for securing the necessary releases. Anyone photographing or recording with the library must respect other patrons and employees. Do not annoy of harass other persons, engage in loud or disruptive conduct or cause a public disturbance (See Library Patron Responsibilities which detailed in Section 4.2).

2. No commercial, media photography or recording may occur in Library facilities without prior written permission.

3. Permission may be revoked at any time if the photographer or person recording fails to comply with the terms of this policy or other rules and regulations of the Library.

KDL POLICY 4.3.2

SOCIAL NETWORKING POLICY

LAST REVISED 10.25.18

The Kent District Library blog and sponsored social networking outlets (e.g., Facebook profiles, Twitter feeds, YouTube videos, etc.) are a place for individuals to share opinions about library related subjects. Comments are encouraged, but KDL reserves the right to edit, modify, or delete any comment. The following content will be removed:

- Potentially libelous comments
- Obscene or racist comments
- Personal attacks, insults, or threatening language
- Plagiarized material
- Private, personal information published without consent
- Commercial promotions or spam
- Comments and/or hyperlinks unrelated to a given post, forum, or discussion

The Kent District Library reserves the right to monitor all content before it is posted and to modify or remove any messages or postings that it deems, in its sole discretion, to be abusive, defamatory, in violation of the

copyright, trademark right, or other intellectual property right of any third party, or otherwise inappropriate.

By posting a comment, individuals agree to indemnify the Kent District Library and its officers and employees from and against all liabilities, judgments, damages, and costs (including attorney's fees) incurred by, arising out of, or related to the content posted.

Notwithstanding the foregoing, Kent District Library is not obligated to take any such actions, and will not be responsible or liable for content posted.

KDL POLICY 4.4

DISCIPLINARY PROCESS FOR LIBRARY FACILITIES

LAST REVISED 6.14.19

The Executive Director or the Executive 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 multiple verbal warnings 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 Executive 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, the police may be called.
2. *Subsequent Violations*: The Executive Director or the Executive Director's authorized designee may further limit or suspend 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 patron is asked to leave and does not comply. 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 in order to give the Library sufficient time to investigate the incident.

After the investigation is completed, the Executive Director or his/her designee may add additional time to the initial limitation or suspension period.

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 Executive Director or the Executive Director's authorized designee, may further limit or suspend 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.

KDL POLICY 4.5

RIGHT OF APPEAL

LAST REVISED 10.25.18

Patrons may appeal a decision to limit or suspend privileges by sending a written appeal to the Library Board within ten (10) business days of the date the privileges were suspended or limited. The appeal should be sent to the President of the Library Board. The decision of the Library Board is final.

5 BUDGET + FINANCE

5.1 Investments
5.1.1 Annual Budget + Adjustments
5.1.2 Fund Balance
5.2 Purchasing Policy
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KDL POLICY 5.1

INVESTMENTS

LAST REVISED 8.19.22

1. STATEMENT OF PURPOSE

It is the policy of Kent District Library to invest its funds in accordance with the investment objectives listed below in order to meet the daily cash flow needs of the Library while complying with all state statutes governing the investment of public funds.

2. SCOPE OF POLICY

This investment policy applies to all financial assets of Kent District Library. These assets are accounted for in the various funds of the Library and include the general fund, special revenue funds, debt service funds, capital project funds, enterprise funds, internal service funds, fiduciary funds, permanent funds, and any new fund established by Kent District Library.

3. INVESTMENT OBJECTIVES

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

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

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

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

d. **Return on Investment** – The investment portfolio shall be designed with the objective of obtaining a market average rate of return during budgetary and economic cycles while taking into account investment risk constraints and liquidity needs. Return on investment is of secondary importance compared to the safety and liquidity objectives.

4. DELEGATION OF AUTHORITY TO MAKE INVESTMENTS

Authority to manage the investment program is derived from MCL 397.182. Management responsibility for the investment program is hereby delegated to the Board Treasurer (or Director of Finance as designee of the Board Treasurer) who shall establish written procedures and internal controls for the operation of the investment program consistent with this investment policy. Procedures shall include references to: Safekeeping, delivery vs. payment, investment accounting, repurchase agreements,

wire transfer agreements, collateral/depository agreements, and banking service contracts. No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the Board Treasurer. The Board Treasurer shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials.

The Board Treasurer may delegate any day-to-day functions under this investment policy to the Director of Finance as his or her designee.

5. LIST OF AUTHORIZED INVESTMENTS

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

a. The Kent County Investment Pool or an investment pools organized under the Local Government Investment Pool Act, 1985 PA 121, MCL 129.141 et seq.

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

c. Certificates of deposit, savings accounts, deposit accounts or depository receipts of a financial institution as defined in MCLA 129.91 provided that the financial institution is eligible to be a depository of funds belonging to the state under a law or rule of the State of Michigan or the United States.

d. Repurchase agreements consisting of instruments listed in b., above.

6. AUTHORIZED FINANCIAL DEALERS & INSTITUTIONS

Cash equivalents or deposits shall be authorized with those Financial Institution(s) through a Resolution by the Board of Trustees, to perform the banking function of the Organization. The approved financial institution shall certify that they have: (1) received KDL's investment, (2) have read the policy, and (3) will comply with said terms of the policy.

7. STATEMENT CONCERNING SAFEKEEPING AND CUSTODY

All security transactions, including collateral for repurchase agreements and financial institution deposits, entered into by Kent District Library shall be on a cash basis. Securities may be held by a third party custodian designated by the Board Treasurer (or Director of Finance as designee of the Board Treasurer) and evidenced by safekeeping receipts as determined by the Board Treasurer (or Director of Finance as designee of the Board Treasurer).

8. STANDARD OF PRUDENCE

The Board Treasurer (and the Director of Finance as designee of the Board Treasurer) shall make such

investments and only such investments as a prudent person would make in dealing with the property of another having in view the preservation of the principal and the amount and the regularity of the income to be derived.

9. STATEMENT OF ETHICS

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

10. INVESTMENT ACTIVITY REPORT

The Board Treasurer and the Director of Finance shall provide monthly reports to the Board concerning the investment of District Library funds. The Director of Finance shall provide a detailed annual investment report, including account and fund information. The KDL Board will annually designate its depositories and/or its investment advisors for the coming year during the adoption of the budget.

KDL POLICY 5.1.1

ANNUAL BUDGET + ADJUSTMENTS

LAST REVISED 8.15.19

The Kent District Library Board of Trustees will establish an annual budget at its November meeting for the following calendar year. The Executive Director and Director of Finance will present the annual budget with historical data and future projections to the Board at its annual budget work session in October.

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

KDL POLICY 5.1.2

FUND BALANCE

LAST REVISED 6.15.23

This policy has been adopted by the Kent District Library Board of Trustees to address the implications of Governmental Accounting Standards Board (GASB) Statement No. 54. The policy is created in consideration of unanticipated events that could adversely affect the financial condition of the Library and jeopardize the continuation of public services. This policy will ensure that the Library maintains adequate fund balances and reserves in order to:

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

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

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

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

Debt Service Fund – used to account for all financial resources restricted, committed, or assigned to expenditures for principal and interest.

Capital Projects Fund – used to account for all financial resources restricted, committed, or assigned to expenditures for the acquisition or construction of capital assets.

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

Internal Service Fund – used to report an activity that provides services or goods to departments of the library on a cost-reimbursement basis.

The following categories will be used to report governmental fund balances in accordance with the definitions provided by GASB Statement No. 54:

Non-spendable Fund Balance – amounts that cannot be spent because they are either not in a spendable form or are legally or contractually required to be maintained intact. *Classification* of non-spendable amounts will be determined before all other classifications and consist of the following:

- The Library will maintain a fund balance equal to the balance of any long term outstanding balances due from others;
- The Library will maintain a fund balance equal to the value of inventory balances and prepaid items unless those items are offset with liabilities and result in fund balance;
- The Library will maintain a fund balance equal to the principal of any permanent funds that are legally or contractually required to be maintained intact; and
- The Library will maintain a fund balance equal to the balance of any land or other nonfinancial assets held for sale.

Restricted Fund Balance – amounts that can be spent only for specific purposes stipulated by the constitution, external resource providers, or through enabling legislation.

Committed Fund Balance – amounts that can be used only for the specific purposes determined by a formal action of the KDL Board. (*Authority to Commit:* a majority vote is required to approve a commitment and a two-thirds majority vote is required to remove a commitment.)

Assigned Fund Balance – amounts intended to be used by the Library for specific purposes, but do not meet the criteria needed to be classified as restricted or committed. In governmental funds, other than the General Fund, the assigned fund balance represents the remaining amount that is not restricted or committed. (Authority to Assign: the KDL Board delegates to the Director of Finance the authority to assign amounts to be used for specific purposes. Such assignments cannot exceed the available [spendable, unrestricted, uncommitted] fund balance in any individual fund.)

Unassigned Fund Balance – is the residual classification for the Library's General Fund and includes all spendable amounts not included in the other classifications. In other funds, the unassigned classification is used to report a deficit balance from overspending amounts that have been designated as restricted, committed, or assigned.

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

Classifying Fund Balance Amounts – Fund balance classifications indicate the nature of the net

resources that are reported in a governmental fund. An individual governmental fund may include non-spendable resources and amounts that are restricted, committed, or assigned, or any combination thereof. The General Fund may also include an unassigned amount.

Encumbrance Reporting – Encumbering amounts for specific purposes for which resources have already been restricted, committed, or assigned should not result in separate display of encumbered amounts. Encumbered amounts not previously restricted, committed, or assigned, will be classified as committed or assigned based on the definitions and criteria set forth in GASB Statement No. 54.

Prioritization Of Fund Balance Use – When an expenditure is incurred, when both restricted and unrestricted (committed, assigned, or unassigned) amounts are available, it will be the policy of the Library to consider restricted amounts to have been reduced first. If an expenditure is made that is applicable to any of the unrestricted fund balance classifications, it will be the policy of the Library to reduce committed amounts first, followed by assigned amounts, and then unassigned amounts.

Minimum Unassigned Fund Balance – The Board has designated a minimum unassigned fund balance for the Library's General Fund of 15-20 percent of the subsequent year's budget. This minimum fund balance is to protect against cash flow shortfalls related to timing of projected revenue receipts and to maintain a budget stabilization commitment. The Executive Director and Director of Finance will provide a report of the fund balance as part of setting the annual budget, approving budget adjustments, or as requested.

KDL POLICY 5.2

PURCHASING POLICY

LAST REVISED 6.15.23

This policy provides the framework for the purchase of all goods and services by Kent District Library personnel. The purchase of goods or services needed by Kent District Library shall be made using sound purchasing practices and business procedures to ensure the timely receipt of goods, services and works of improvement of a quality appropriate to the needs of the Library at the lowest responsible costs. Guidance and direction for the implementation of this policy and the related acceptable procedures and best practices will be governed by administrative guidelines produced by the Finance Department.

Reason for Policy:

- Provide clear direction to all Kent District Library staff and vendors on the purchasing process.
- Provide institutional consistency, discipline and accountability over all funds entrusted to Kent District Library by taxpayers, donors and other sources of funding.
- Avoid the intent and appearance of unethical or compromising practice in relationships, actions, and communications.
- Avoid any personal business or professional activity that would create a conflict between personal interests and the interests of Kent District Library.
- Promote positive supplier relationships through professionalism, courtesy and impartiality.
- Ensure procurement is open, non-discriminatory, and fair to all who participate.
- Additionally, we actively seek to provide opportunities for diverse and small local businesses.

The purchases of all goods and services, unless noted by exemption, are subject to the requirements and restrictions in this policy. No purchase of goods or services on Kent District Library's behalf may be made in any manner, which violates this policy. The amounts below, "Commitment to Purchase", shall be applied to orders, contracts, agreements, and any other similar arrangement, which obligates or commits Kent District Library's funds to purchases at these levels. Splitting orders, contracts, or agreements to circumvent these limits is prohibited.

Approval Thresholds

For individual purchase transactions and commitments, the Executive Director and Director of Finance are each authorized to make purchases for all items when the cost per item is under $25,000. For individual purchases transactions and commitments when the cost per item exceeds $25,000 and is under $50,000, the Executive Director and Director of Finance are authorized to make purchases after obtaining a minimum of three quotations. The above-noted purchases require the signatures of both the Executive Director and the Director of Finance.

For Commitments to Purchase costing over $50,000, a Request for Proposal (RFP) will be generated and a bid process will be used. RFPs will be available on the Kent District Library's website and shall be

advertised once a week for two consecutive weeks in at least one print and one online newspaper of general circulation within Kent County and on other electronic sites that are standard platforms for the goods or services that are being purchased. The Library Board of Trustees' approval is required prior to awarding the contract for such goods or services. Kent District Library reserves the right to accept or reject any or all bids, to waive defects or irregularities in any bid, or to accept or eliminate any portion of any bid.

When necessary, Kent District Library personnel responsible for making the purchase may reach out to one vendor for an estimate so Kent District Library personnel can determine the appropriate approval process. If a quote/competitive proposal/RFP process is determined to be required by Kent District Library personnel, this estimate shall not replace the required quotes, competitive proposals, or RFP responses and the vendor shall be responsible for responding to the same requests required of the other potential vendors. The same information shared with the vendor providing the estimate shall be shared with all other potential vendors and the vendor providing the estimate will not receive preferential treatment.

The following purchases are exempt from the approval thresholds and quote requirements as outlined in this policy and may be awarded without obtaining quotes and/or Library Board of Trustees' approval if the price is considered to be reasonable by the Executive Director or Director of Finance:

- Goods or services accepted by grant, gift, or bequest
- Water, sewer, steam, gas, electrical utility, and telephone services
- Library materials (including but not limited to items such as books, databases, subscriptions)
- Other regularly recurring expenditures as approved by the Executive Director and Director of Finance

Notwithstanding any other provision of this Section 5.2, the Board may waive the requirement for bids for the purchase of goods and services if the Board determines that such action is in the best interest of Kent District Library under the circumstances of a particular contract.

Sole Source Purchases

The number of bids or quotes requirement can be foregone if the purchase can only be made from a single source. Justification for each sole source purchase shall be documented in writing and approved by the Library Board of Trustees prior to any purchase. The sole source justification does not relieve the responsibility of the purchaser to obtain a fair and reasonable price. Sole source purchases may include:

- Product or service is available from only one vendor
- Purchase must match an existing product or service
- There is a compelling and valid interest in selecting a particular vendor
- The proposed vendor is uniquely qualified to provide the product or service

Emergency Purchases

If there is evidence of imminent danger to persons or property and when deemed necessary to guarantee the safety of patrons, staff, and visitors, emergency purchases may be authorized by the Executive Director or his/her designee in excess of the $25,000 limit outlined above. Emergency purchases may also be necessary if there is an occurrence of technology failure, technology security breach, or other circumstances caused by forces of nature. Prior to authorizing these emergency purchases, the Executive Director must consult with the Chairperson of the Library Board of Trustees or his/her designee. The Executive Director shall document the reason for any emergency purchase and inform the Library Board of Trustees at the next regularly scheduled meeting.

Contracts

The Kent District Library will have outside legal counsel evaluate all new contracts with a Commitment to Purchase of greater than $50,000. The Kent District Library shall have the option of renewing expired contracts (up to two times) provided a fair price can be negotiated and the Kent District Library has determined the renewal to be in its best interest. Renewal terms shall not require Library Board of Trustees approval, with the exception of audit and legal services. These services are commissioned by the Library Board of Trustees and will need to be renewed by a majority vote upon contract expiration.

Non-discrimination

When soliciting and selecting vendors, Kent District Library shall not in any way discriminate against any vendor because of age, race, color, religion, marital status, sex/gender, pregnancy, sexual orientation, gender identity, gender expression, height, weight, national origin, disability, political affiliation, familial status, veteran status or genetics and/or any other legally protected class not heretofore mentioned. Nor shall Kent District Library patronize, or continue to patronize vendors known to practice any form of discrimination.

Government Contracts

To obtain the benefits of volume purchasing or reduced administrative expenses when purchasing similar goods and services, Kent District Library may utilize existing governmental contracts. Examples of these could be from the State of Michigan, the Regional Education Media Center (REMC), MiDeal, Sourcewell, MiCTA, and NCPA. If an existing, beneficially priced agreement is active, the Kent District Library may forego its normal quoting or bidding process and negotiate for goods and services using the terms of another governmental unit's contract. Any purchase through this process must be documented on the purchase order, with reference to the governmental unit and contract number.

Universal Service Administrative Co. Funding

For all eRate eligible products and services Kent District Library has applied or will be applying for Universal Service Administrative Co. (USAC) funding or reimbursement, the Kent District Library shall forego the policy outlined here and instead follow the competitive bid process as required by USAC.

KDL POLICY 5.3

CONFLICT OF INTEREST—BOARD & STAFF

LAST REVISED 9.23.21

Kent District Library complies with Michigan Compiled Laws 15.321 *et seq.* Members of the Board of Trustees will annually sign a Conflict of Interest Statement (see below) to ensure compliance with the law.

CONFLICT OF INTEREST STATEMENT - BOARD

I have read and understand the law pertaining to conflicts of interest (Michigan Compiled Laws 15.321 et seq.), which was provided to me. There are no present or potential future conflicts of interest other than those listed below. I have and will continue to observe the law carefully including, without limitation, the obligation to promptly disclose any pecuniary interest in a contract to be considered by the Board.

Signature:_____Date: _____

DISCLOSURES (Indicate "none" if applicable. Otherwise, please give a brief explanation of the conflict):

Trustees may not use their position or the knowledge gained as a result of their position for private or personal advantage or to obtain financial gain. Specifically, in the event that a trustee recognizes an actual or potential conflict of interest, the trustee is expected to disclose to the board any financial or personal beneficial interest, direct or indirect, and abstain voluntarily from discussion or voting on any issue that raises such conflict of interest.

CONFLICT OF INTEREST STATEMENT – STAFF

Kent District Library respects the rights of its employees in their activities that are private in nature and in no way conflict with or reflect upon the Library. Financial or personal obligations such as part-time employment with outside firms or individuals which affect judgment in carrying out Library business, or that would create the appearance of impropriety, shall be avoided.

To that end, all supervisors and non-union staff will annually read and sign Conflict of Interest Statements. All other staff will sign a Conflict of Interest Statement at the time of hire. If there are any situations which arise during the year that create a potential conflict as described in this policy, the employee shall make a written disclosure to the Executive Director who shall provide it to the Kent District Library Board of Trustees.

STAFF CONFLICT OF INTEREST STATEMENT

I have read and understand Kent District Library Policy 5.3 governing conflict of interest. I understand that by signing this statement, I certify that I and my family have no direct or indirect interest in firms or individuals doing business with Kent District Library (other than those disclosed below). I also certify that neither I nor my family act in a fiduciary capacity for firms or individuals doing business with Kent District Library (other than those disclosed below).

I understand and agree that if a potential conflict arises after the filing of this statement, I will disclose it to the Executive Director in writing and receive approval from the Library Board before proceeding to become involved.

Signature:_____Date: _____

DISCLOSURES (Indicate “none” if applicable. Otherwise, please give a brief explanation of the conflict):

KDL POLICY 5.3.1

CONTEST PARTICIPATION

LAST REVISED 8.15.19

To promote Library services and support the Library's mission, KDL sponsors contests for its patrons. Contests are open to all KDL cardholders and interested parties regardless of affiliation with the Library pursuant to the specific rules and regulations of each contest. KDL strives to administer all contests fairly and impartially, awarding prizes in accordance with the specific rules and regulations of each contest.

KDL POLICY 5.4

CODE OF ETHICS—BOARD

LAST REVISED 6.15.23

The Kent District Library Board of Trustees recognizes that sound, ethical standards of conduct serve to increase the effectiveness of the Library Board, promote public confidence, and further the attainment of Library goals. The Board has determined that it is in the Library's best interests to adopt a code of ethics setting forth the following standards of conduct required of all Library Board members.

1. **Mission and Policies:** A trustee shall abide by and support the mission statement of the Library and the policies adopted by the Board.

2. **Matters before the Board:** A trustee shall not receive or enter into any agreement, expressed or implied, for compensation for services to be rendered in relation to any matter before the Library Board of Trustees.

3. **Confidential Information:** No trustee shall disclose confidential information acquired by him or her in the course of his or her official duties or use such information to further his or her personal interest. In addition, he or she shall not disclose information regarding any matters discussed in a closed session of the Board of Trustees.

4. **Board Action:** Unless delegated by the Board, a trustee has no individual authority to bind the Board. Board decisions may only be made by a majority vote at an open meeting. A trustee shall abide by a majority decision of the Board even if he/she personally disagrees and shall take no public or private action that compromises or disparages Board decisions and actions.

5. **Participation:** A trustee shall participate in official Board discussions and decisions and reach conclusions after deliberation and full public debate with fellow trustees in a public meeting.

6. **Improper Influence:** A trustee shall not improperly influence or attempt to improperly influence other officials, including fellow trustees, to act at his/her behest. A trustee shall follow only legal and ethical procedures to bring about desired changes.

7. **Cooperation:** A trustee shall work cooperatively and effectively with governmental agencies, political subdivisions, and other organizations in order to further the interests of the Library.

8. **Gifts:** No trustee shall directly or indirectly solicit, accept, or receive any money or gift, whether in the form of cash, check, loan, credit, services, travel, entertainment, hospitality or any other form, under circumstances in which it could reasonably be inferred that the money or gift was intended to influence him or her in the performance of his or her official duties or

was intended as a reward for any official action on his or her part.

9. **Complaints:** A trustee shall not act on complaints from the public or staff on Library matters, but shall refer complaints to the Executive Director. Unresolved complaints may be taken up for Board action if a policy revision is necessary or legal consequences result.

10. **Investments in Conflict with Official Duties:** No trustee of the Library shall engage in or have a financial or other interest, directly or indirectly, in any activity that conflicts with their duties and responsibilities in the Library. When a trustee determines that the possibility of a personal interest conflict exists, she/he should, prior to the matter being considered by the Board or administration, disclose his/her interest (such disclosure shall become a matter of record in the minutes of the Board).

11. **Private Employment:** No trustee of the Library shall engage in, solicit, negotiate for or promise to accept private employment or render services for private interests when such employment or service creates a conflict with or impairs the proper discharge of his or her official duties.

12. **Use of Library Property:** No Library trustee shall use or permit the use of property, owned or leased by the Library, for anything other than official purposes or for activities not otherwise officially approved by the Library Board of Trustees.

DISTRIBUTION OF THIS CODE

A copy of this code shall be distributed annually to, and acknowledged by, every trustee of the Library. Each trustee appointed thereafter shall be furnished a copy before entering upon the duties of his or her office and shall acknowledge receipt thereof.

CODE OF ETHICS – ACKNOWLEDGEMENT

I understand that the purposes of this policy are to increase the effectiveness of the Library's decision-making process, to enable Library constituents to have confidence in the Library's integrity, and to further Library goals.

I understand that this policy is meant to be a supplement to good judgment, and I will respect its spirit as well as its wording.

Signature: _____

Print Name: _____

Date: _____

KDL POLICY 5.5

PETTY CASH

LAST REVISED 8.15.19

The Board of Trustees of Kent District Library authorizes individual petty cash funds to exist at the Finance Department and at the branches. The funds are to be used for small miscellaneous purposes. The Director of Finance and the branch managers shall serve as petty cash custodians.

KDL POLICY 5.6

ACCEPTANCE OF NON-BOOK GIFTS

LAST REVISED 8.15.19

Kent District Library may accept non-book gifts (e.g., plants, art, musical instruments, aquariums, office equipment, etc.), if the cost of supporting the ongoing maintenance is part of the gift. If maintenance is not part of the original gift, the gift will be accepted only if the funding for the maintenance is within the budget of the Library. Gifts involving ongoing maintenance costs require the approval of the Executive Director prior to acceptance. No gifts are accepted with restrictions. All gifts may be utilized, sold, or disposed of in the best interest of the Library.

Event Sponsorships

Programs held at KDL's branch libraries that are underwritten by an individual or corporate sponsor may be acknowledged at the branch by appropriate signage. Such signage will be placed within close proximity of the event's promotion. The signage shall be removed after the sponsored event has taken place.

Acknowledging Sponsorship of Equipment, Furniture, and Fixtures

Signage acknowledging a donor's sponsorship of durable equipment, furniture, and/or fixtures that stay at the branch until and if the Library deems it appropriate to remove it. Such signage shall remain near the sponsored equipment/furniture and will list the name of the donor(s).

The library reserves the right to have the donor's name engraved on certain types of furniture such as benches, play stations, outdoor playsets, etc.

KDL POLICY 5.7

CREDIT CARD USE

LAST REVISED 6.15.23

Kent District Library recognizes that bank corporate credit cards offer an alternative to existing procurement processes and provide a convenient, efficient method of purchasing goods and services. Library employees, authorized by the Executive Director, may use credit cards for Library-related purposes and only those types of expenditures that are for the benefit of the Library and service a valid and proper public purpose and only in accordance with this policy, the approved budget, and Library purchasing guidelines. Credit cards shall not be used to circumvent the general purchasing procedures required by Michigan law and Board policy.

The Director of Finance shall be responsible for the issuance, accounting, monitoring, and general oversight of credit card use in the Library system and shall develop the administrative guidelines. The credit limit of individual credit cards shall be authorized and monitored by the Director of Finance.

The Director of Finance shall conduct independent regular reviews of each cardholder's activity to verify that the credit card is being used in accordance with this policy and administrative guidelines. Card holders are required to provide receipts for all card usage and provide those as substantiation for purchases.

Cardholders must use common sense and good judgment when using Library resources. This policy and related administrative guidelines cannot cover every issue, exception, or contingency that may arise during the cardholder's use of the credit card.

Cardholders will immediately surrender their cards upon request of the Director of Finance and shall surrender their cards upon separation from employment. Cardholders are required to take reasonable prudent measures to protect the use and custody of the card and shall immediately notify the Finance Department office if the card is lost or stolen.

The credit card may never be used to purchase alcohol or personal items or services. Library issued credit cards may never be attached to an employee's personal accounts. Inappropriate use of a credit card may result in a loss of credit card privileges and other disciplinary action.

The Kent District Library will seek restitution, including any costs associated with obtaining restitution, for any inappropriate charges made to an account.

All credit card charges shall be approved according to the Library's purchasing approval processes prior to payment. All credit card charges will be paid monthly to the issuing financial institution.

KDL POLICY 5.8

NON-SUFFICIENT FUNDS (NSF) CHECK RETURN FEE

LAST REVISED 7.21.17

Kent District Library will charge $30.00 per check for all returned checks. The $30.00 fee covers the cost of labor to handle the returned check and the bank fee charged to KDL for the return.

KDL POLICY 5.9

FRAUD PREVENTION

LAST REVISED 8.15.19

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

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

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

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

When fraud or related misconduct is reported, the Director of Finance, under the direction of the Executive Director, will conduct an appropriate investigation and take all necessary action, including reporting such activity to the appropriate authorities.

KDL POLICY 5.10

CAPTURE OF KDL MILLAGE

LAST REVISED 7.21.17

Kent District Library is a taxing authority permitted to levy ad valorem taxes for library purposes by virtue of a voter approved millage ("Library Millage"). In keeping with the designated purpose of the approved millage, the Kent District Library Board seeks to maintain and preserve Library Millage for library purposes.

Municipalities located within the district served by Kent District Library are authorized to establish various tax increment authorities under state law and to adopt development and tax increment financing plans that may result in the capture of a portion of Library Millage by such authorities. These tax increment authorities may include, but are not limited to, downtown development authorities, local development finance authorities, and corridor improvement authorities.

Under certain circumstances, the Kent District Library Board is authorized to exempt Library Millage from capture by such authorities. As a means of preserving Library Millage for library purposes, the Library Board will exercise its right to exempt Library Millage from capture by such authorities to the extent permitted by law.

KDL POLICY 5.11

FUNDRAISING

LAST REVISED 7.21.17

Kent District Library will adhere to the highest ethical standards while engaging in fundraising activities. Kent District Library supports the Association of Fundraising Professionals' Code of Ethical Principals and Standards.

Kent District Library believes that responsible stewardship and respect for donors is essential. Kent District Library supports a Donor Bill of Rights to direct our relations with current and prospective donors.

KDL POLICY 5.12

RECORDS RETENTION

LAST REVISED 7.21.17

In order to meet the administrative, legal, fiscal, and archival requirements of the State of Michigan, Kent District Library will manage its records in accordance with the General Schedule #17 (GS #17) developed for Michigan public libraries. If and when GS #17 is amended, Kent District Library will modify its procedures as necessary to remain in compliance with this schedule.

KDL POLICY 5.13

FIXED ASSETS

LAST REVISED 6.15.23

Kent District Library purchases short-term and long-term fixed assets. Fixed Assets include land, land improvements, buildings, building improvements, equipment, furniture, physical collection and fixtures that:

1. Have a useful life of more than one year;
2. Are acquired for use in the KDL operation; and
3. Are not intended for resale.

Threshold

The cost of an individual asset item to be capitalized shall exceed $5,000. Any asset not meeting this threshold shall be expensed in the current period.

Additions

The acquisition cost of land, buildings, and equipment shall include all reasonable and necessary expenditures to get the item(s) in place and ready for the intended use. This includes, but is not limited to, invoice price, legal fees, installation costs, and freight. All additions shall be made in compliance with Policy 5.2 and recorded in the current period and correctly classified.

Disposals

No item of property or equipment shall be removed from Library property without the approval of the Finance Department. Furniture and equipment valued at less than $500 may be offered to KDL employees for purchase at fair market value, determined by the Library, on a first come, first served basis. Furniture and equipment valued at more than $500 will be offered to the public.

The Library is not responsible or liable for the condition of any surplus furniture or equipment nor will the Library provide support or maintenance for furniture or equipment purchased by staff or through public auction.

At the time the property is retired, it will be recorded as required by generally accepted accounting principles. When the disposal is via a trade-in of a similar asset, the acquired asset should be recorded at the book value of the trade-in asset plus any additional cash paid. In no instance should such cost exceed the fair market value for the new asset. Fully depreciated assets remain on the fixed asset list with related accumulated depreciation as long as the property is still in use.

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KDL POLICY 6.1

EQUAL EMPLOYMENT OPPORTUNITY

LAST REVISED 10.15.20

Kent District Library will not unlawfully discriminate against any employee or applicant for employment because of race, color, religion, national origin, age, sex (sexual orientation, gender identity, transgender status), height, weight, marital status, disability (pregnancy and related medical conditions) or veteran status. No personnel action will unlawfully discriminate against an individual based on any of these characteristics. Personnel actions include, but are not limited to: recruitment, employment, promotion, transfer, disciplinary action, lay-off, termination, rates of pay or other forms of compensation, and selection for training.

Except where permitted by law, the Library will not deny an individual the full and equal enjoyment of its goods, services, facilities, privileges, advantages, or accommodations because of race, color, religion, national origin, age, sex, height, weight, sexual orientation, marital status, disability, or veteran status.

Kent District Library will observe federal and state laws concerning equal employment opportunity. The Library will make reasonable accommodations, as required by law, for the disabilities of otherwise qualified employees or applicants, which will not impose undue hardship on the Library.

All persons hired by the Library must be eligible to work in the United States pursuant to the Immigration Reform and Control Act of 1986.

KDL POLICY 6.1.1

HARASSMENT

LAST REVISED 9.17.09

Kent District Library is committed to providing a workplace free from harassment. Therefore, Kent District Library prohibits harassment of employees or members of the public by an employee. Harassment can occur with a single incident or through a pattern of behavior where the purpose or effect is to create a hostile, offensive, or intimidating work environment. Harassment can result from a broad range of actions, which might include, but are not limited to, the following:

- physical or verbal intimidation;
- racial, gender, or age insults;
- derogatory ethnic jokes;
- religious slurs; or
- sexual harassment (as defined below).

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communication of a sexual nature when:

- submission to such conduct or communication is made a term or condition either explicitly or implicitly to obtain employment;
- submission to or rejection of such conduct or communication by an individual is used as a factor in decisions affecting such individual's employment; or
- such conduct or communication has the purpose or effect of unreasonably interfering with an individual's employment or creating an intimidating, hostile, or offensive employment environment.

This policy against harassment also prohibits acts of non-employees which result in an intimidating, hostile, or offensive employment environment or unreasonably interferes with an individual's employment.

An employee who believes that he or she has been harassed shall promptly report the incident to their immediate supervisor, Executive Director, or the Human Resources Department.

Kent District Library will conduct a prompt and thorough investigation of each incident and, if a violation is found, will take prompt and appropriate action against the person, or persons, responsible.

Employees who violate the policy will be subject to discipline up to and including discharge. Kent District Library prohibits any form of retaliation against employees for bringing bona fide complaints or providing information about harassment. However, if an investigation of a complaint shows that the complaint or information was false, the individual who provided the false information will be subject to disciplinary action, up to and including discharge.

Non-employees who violate this policy shall be considered in violation of Section 4.4 of the Policy Manual on Disruptive Behavior (including the Patron Rules and Responsibilities) and may be barred from use of the library for specified periods of time as provided in Section 4.4.

KDL POLICY 6.1.2

AMERICANS WITH DISABILITIES ACT (ADA)

LAST REVISED 2.18.16

Kent District Library is subject to the provision of the Americans with Disabilities Act (ADA) of 1992, and the Michigan Handicappers Civil Rights Act.

KDL has further established itself as an employer of choice through collaboration with the Disability Advocates of West Michigan. Through these efforts, KDL staff are working to make for a more inclusive and accessible environment for both customers and staff.

The Library does not discriminate on the basis of disability in admission or access to programs or activities, or in Library employment policies and practices. Reasonable accommodations will be made upon request from either the public or employees.

Individuals needing special auxiliary aids or services for access to Library programs and meetings should contact the Library (616-784-2007) at least 72 hours in advance of the program/meeting in order that appropriate arrangements can be made.

KDL POLICY 6.2

POSITION AUTHORIZATION

LAST REVISED 2.18.16

The Kent District Library Board shall budget annually for staffing resources. The Executive Director is responsible for identifying staffing allocations for the entire Library system. The criteria for establishing staffing levels and needs are determined by statistical reports and other measurement tools.

The supervisor of the proposed/vacated position is responsible for analyzing the position with administration to make a determination of whether the position is needed and is classified appropriately. Positions may be restructured in regard to hours, location, and classification to meet the organizational needs within the established staffing budget.

New classifications or staffing positions needed beyond the available budget must receive Board approval. Once a final determination is made, authorization paperwork must be completed and forwarded to the Human Resources Department to begin the recruitment process.

KDL POLICY 6.2.1

APPLICATIONS

LAST REVISED 10.15.20

Kent District Library shall accept applications for employment only when a posted position opportunity exists. All employment applications shall be processed centrally at the Human Resources Department in accordance with established personnel procedures.

All applications and required assessments for a posted vacancy must be submitted via the electronic applicant database and received in the Human Resources Department by the designated deadline.

KDL POLICY 6.2.1.1

INTERNSHIPS

LAST REVISED 2.18.16

Kent District Library provides opportunities for student interns to be appointed for up to twelve months to allow students to gain work-related experience in their field of study.

Interns can serve in the following ways:

- assisting and learning from experienced employees;

- completing short-term assignments;
- assisting during peak work-load periods; and
- assisting in research or project teams.

Interns must go through an informal interview process with the supervisor in order to be selected for an internship. Intern selection will be coordinated with the Human Resources Department. Intern eligibility will be contingent on background verification and drug screening per the standards stated in Policy 6.3.5.

Interns are expected to follow a written education plan, as well as the same policies and procedures as regular KDL employees.

Supervisors will be expected to provide leadership and guidance to the intern by meeting with the intern on a regular basis. Upon completion of the internship, both the supervisor and the intern shall complete an internship evaluation form rating the overall internship experience, along with any documentation required by the intern's educational institution (when applicable).

KDL POLICY 6.2.2

INTERVIEW + SELECTION

LAST REVISED 10.15.20

Interview teams for both individual and group candidate hiring will include, at a minimum, a Human Resources Department staff member and the hiring supervisor.

The hiring supervisor is responsible for the hiring decision. Hiring decisions must be reviewed and approved by the Executive Director.

For Regional Manager positions, a representative from the local governmental unit shall be afforded the opportunity for:

- discussion with the Kent District Executive Director concerning the position;
- participation in the interview process; and
- input regarding the candidates interviewed prior to final selection.

Recognizing that the final hiring decision rests with the Kent District Executive Director, the local governmental unit shall have no veto or voting rights regarding the selection of the branch manager.

KDL POLICY 6.2.3

INITIAL EMPLOYMENT PERIOD

LAST REVISED 2.16.12

All employees shall serve an initial employment period of six (6) months. During the initial employment period, employees shall receive a performance evaluation. During the initial employment period, a newly hired employee may be dismissed at the sole discretion of the Executive Director.

The initial employment period may be extended with the approval of the Executive Director. After completion of the initial employment period, the Library retains the right to terminate, in its sole discretion, but may provide a maximum of two (2) weeks' notice and/or two weeks termination pay before acting to terminate an employment relationship.

Newly hired employees serving the initial employment period shall not have access to the grievance procedure.

KDL POLICY 6.2.4

PROMOTIONS

LAST REVISED 11.18.10

Employees who wish to be considered for a promotional opportunity must apply through the established procedure.

When an employee is reclassified to a classification in a higher salary range, the employee's salary shall be adjusted to the minimum of the range for the new classification or to that salary step which is at least equivalent to one pay step increment above the employee's present rate, whichever is higher.

KDL POLICY 6.2.5

NEPOTISM

LAST REVISED 5.15.14

Kent District Library will not hire immediate relatives of current employees who would work within the same branch or department, or who would supervise one another. Under no circumstance may relatives currently on staff (or those who become relatives while on staff) work within the same branch or department, or supervise one another. Exceptions to this policy may be granted only by the Board of Trustees, upon recommendation of the Executive Director, for reasons clearly in the best interests of the Library.

An immediate relative is defined as a spouse/partner, father, mother, sister, brother, son, daughter, aunt, uncle, niece, nephew, first cousin, and in-law equivalence, or any other relative living in the same household.

Consideration for promotion, transfer, or other actions of employee movement will not be given if such actions would place relatives in a work location or work relationship as described above.

If a marriage causes a violation of this policy, the Library shall try to transfer one of the employees. If a transfer is not feasible, the employees will be permitted to decide which of them will resign. Failure to select shall result in the Library making the determination based on its view of the best interests of the Library.

KDL POLICY 6.2.6

"ACTING" CAPACITY

LAST REVISED 11.18.10

The Executive Director may appoint a qualified employee to fill a vacant position in an "Acting" capacity. During this assignment, the employee shall be paid an additional 5% of his/her current salary.

At the end of the "Acting" assignment, the employee will be returned to his/her regular position and original pay rate. An evaluation of his/her performance in the "Acting" position shall be made and placed in the employee's permanent personnel file.

KDL POLICY 6.2.7

OUTSIDE EMPLOYMENT

LAST REVISED 12.19.02

Kent District Library employees may engage in outside employment. However, this employment may not be conducted within a Kent District Library facility and may not use Kent District Library materials or equipment nor other Kent District Library personnel beyond those resources that would be available to any member of the public. The employee may not engage in this outside employment during the employee's regular-scheduled working hours. This outside employment must not cause a conflict of interest or the appearance of a conflict of interest with Library employment and must not interfere with the satisfactory performance of the employee.

KDL POLICY 6.2.8

EMPLOYEE TERMINATION OF EMPLOYMENT

LAST REVISED 5.19.05

Employees are free to resign at any time and for any reason. During the initial employment period, Kent District Library reserves the right to terminate the employment of bargaining unit employees and non-bargaining unit employees at any time and for any reason with or without cause, and with or without notice. After the initial employment period, Kent District Library reserves the right to terminate employment of non-bargaining unit employees at any time and for any reason with or without cause, and with or without notice. After the initial employment period, Kent District Library may terminate bargaining unit employees for just cause as set forth in the Labor Agreement.

Upon termination of employment for any reason, employees must return to their supervisor any Kent District Library property, including, but not limited to: keys, supplies, equipment, manuals, computer records, and name badges, on or before their last day of employment. Upon termination of Kent District Library employment, all staff privileges will cease.

Benefit and final pay information regarding the terminating employee will be provided through an Exit Interview conducted by the Human Resources Department, or as soon as the amounts can, with due diligence, be determined.

In general, sick and vacation leave and holidays will not be approved after an employee gives notice of leaving employment. The Executive Director must approve exceptions. Employees who resign or are terminated shall be entitled to receive payment for accrued, but unused, vacation time only after twenty-four months (2 years) of continuous service.

KDL POLICY 6.3

PERSONNEL FILES + EMPLOYEE RECORDS

LAST REVISED 5.19.05

The Human Resources Department is authorized to maintain the official personnel files and records for all Library employees. Information which is not contained within the official Library personnel file may be restricted from use in any subsequent action pertaining to the employee.

The history record for each Library employee shall include the employee's name, address, date of employment, job classification, salary rate, and such other employment information as the Executive Director deems necessary.

The employee record-keeping system shall be sufficient to administer the personnel program for all Library employees and shall comply with legal record-keeping and file retention requirements.

The system of checking payrolls shall determine that all persons in Library service are being employed and paid in accordance with the personnel policies, procedures, rules, and regulations.

Supervisors are responsible to forward all pertinent employee documents for inclusion in the official personnel files, and to prepare and submit all documents necessary to carry out the Library personnel program. Supervisory notes (i.e., informal documentation of coaching or observations) may be maintained confidentially by the supervisor.

KDL POLICY 6.3.1

ACCESS TO EMPLOYEE FILE INFORMATION

LAST REVISED 10.15.20

Access to information contained in Library personnel files shall be limited to Human Resources Department personnel, the Executive Director, the employee's department head or Regional Manager, the employee's immediate supervisor on a "need to know" basis, and the individual employee, upon request, in accordance with his/her statutory access rights. Files pertaining to employees who are bona fide candidates for interdepartmental transfer will be accessible to the prospective supervisor.

The confidentiality of social security numbers contained in personnel files or employment records shall be maintained in compliance with the Michigan Social Security Number Privacy Act (P.A. 454 of 2004) and the Kent District Library Social Security Numbers Privacy Policy (Policy 6.3.6).

Access to employment records containing private health information are limited to the Executive

Director, Human Resources Department personnel and the employee, and will only be used in the administration of policies or procedures (e.g., FMLA, Workers Compensation, etc.) that require such records of information. Employee concerns about private health information should be submitted to the Executive Director in writing.

KDL POLICY 6.3.2

CONTINUOUS LENGTH OF SERVICE

LAST REVISED 9.17.09

Continuous length of service means uninterrupted service from the date of hire. Continuous service is not recognized until the employee completes the initial employment period at which time the employee's length of service shall include the period from the date of his/her hire.

Irregular or temporary service, which immediately precedes the transfer of an employee to a full- time or part-time position in the same job classification, shall be given full credit in computing continuous service.

Time spent on approved leaves of absence shall be included in continuous length of service as follows:

- Disability Leave: First continuous twelve (12) months of such leave.
- Military Leave: Entire period of such legitimate leave.
- Workers' Disability Compensation Leave: First continuous twelve (12) months of such leave.
- Personal Leave: No credit for such leave. However, no loss of previous credit. Exceptions may be authorized by the Executive Director, not to exceed the first continuous twelve (12) months of such leave.
- FMLA Leave: Entire period of such legitimate leave.

KDL POLICY 6.3.3

DISCLOSURE OF EMPLOYEE FILE INFORMATION

LAST REVISED 9.17.09

The Human Resources Department shall be responsible to uniformly handle all requests for disclosure of employee file information.

Disclosure of employee information shall be handled in accordance with the following:

- All requests for information contained within employee personnel files, including requests for employment verification and job references, shall be forwarded to Human Resources. No supervisor shall respond to such requests.

- Upon receiving a request for information, the Human Resources Department shall require authorization from the individual about whom information is being requested before releasing any information, unless the request is pursuant to a subpoena or request from a governmental agency. The authorization must be in writing and signed by the individual who is the subject of the request. It must state the type of information that may be released and the party to whom information may be supplied.

- The information requested shall be released only to the party authorized to receive it. This information may be provided by Human Resources or, in the case of recommendations, by a supervisor, after receiving the approval of the Executive Director or his/her designee.

- The confidentiality of social security numbers contained in personnel files or employment records shall be maintained in compliance with the Michigan Social Security Number Privacy Act (P.A. 454 of 2004) and the Kent District Library Social Security Numbers Privacy Policy (Policy 6.3.6).

KDL POLICY 6.3.4

EMPLOYEE REFERENCES

LAST REVISED 5.15.14

Kent District Library shall not give information on an employee's performance to external reference seekers, except on written request of the current or former employee. Outsiders contacting the Library for references on past or present employees are told only the date of hire, position title, and whether the person is currently employed with the Library. The Human Resources staff may also verify the employee's current salary as well as provide other information as required by law. Those desiring reference information of greater detail will be advised to either send a letter requesting the specific reference information, or provide their contact information which will be forwarded to the employee for follow up.

References prepared by supervisors or anyone other than the Human Resources Department/Executive Director are considered "personal references" in that Kent District Library cannot substantiate as "official" any statements not contained in employee personnel files. Any "personal reference" that a supervisor may decide to give should state that the reference is personal. The Library assumes no responsibility for references of this nature.

KDL POLICY 6.3.5

APPLICANT/EMPLOYEE BACKGROUND VERIFICATION + DRUG SCREENING

LAST REVISED 11.18.10

Kent District Library requires, as a condition of employment, that all candidates consent to and authorize both a pre-employment verification of the background information submitted and a pre-employment drug screen prior to being interviewed.

This to the employee which may be in the files of any federal, state, or local criminal justice agency in Michigan or any other states/countries of origin; and/or information as deemed necessary, relevant and applicable to job requirements. Kent District Library will not obtain any type of information from the applicant/employee's personal credit/financial history record.

The results of this verification process will be used to determine employment eligibility under Kent District Library's employment policies. No offer of employment will be made without the completion of the background verification and drug screening process. KDL cannot be held liable for inaccurate information received when performing background verification checks and drug screens.

Refusal to consent to and authorize a pre-employment verification of background information and a pre-employment drug screen will result in immediate disqualification of consideration for any open position and any future positions.

Kent District Library will not hire anyone with a positive drug screen or who has been convicted of any felony. Kent District Library will not hire anyone who has been convicted of a misdemeanor offense for assault; child abuse; criminal sexual conduct; use, possession, or sale of weapons; or violations of Article 7 of the Michigan Public Health Code (Controlled Substances) (MCL 333.7101 et seq.) The Human Resources Department will review all other convictions and pending criminal charges of a candidate on an individual basis with the final decision resting with the Executive Director.

Kent District Library will provide a candidate, whose information found in a background check or drug screen results in an adverse action, with the information as required by the Fair Credit Reporting Act.

All results that are obtained by the background verification and drug screening process will be proprietary and kept confidential to the extent permitted by law. The information obtained will not be provided to any parties other than to designated Kent District Library personnel or legal counsel with a need to know.

KDL POLICY 6.3.6

SOCIAL SECURITY NUMBERS PRIVACY

LAST REVISED 2.23.06

In compliance with the Michigan Social Security Number Privacy Act, P.A. 454 of 2004 (the "Act"), Kent District Library will ensure, to the extent practicable, the confidentiality of social security numbers it possesses, uses, or disposes of. For the purpose of this policy, SSN refers to the use of more than 4 sequential numbers of an individual's social security number.

Kent District Library will not:

- Publicly display more than 4 sequential numbers of an individual's complete social security number;
- Use the SSN as the primary account number for any individual;
- Visibly print the SSN on any identification badge or card, membership card, or permit or license;
- Require an individual to use or transmit the SSN over the internet or computer system unless the connection is secure or the transmission is encrypted;
- Require an employee to transmit the SSN to gain access to an internet website or computer system network unless the connection is secure, the transmission is encrypted, or a password or other authentication devise is required to gain access;
- Include the SSN in or on any document sent to an individual if the numbers are visible on or, without manipulation, from outside of the envelope or packaging;
- Include the SSN in or on any document or information mailed to an individual, except in accordance with the Act or other applicable laws, rules, or regulations; or
- Unlawfully disclose social security numbers in violation of the Act or other applicable laws, rules, and regulations.

Only personnel authorized by the Executive Director or the Human Resources Department will have access to documents that contain social security numbers. Documents containing social security numbers will be disposed of in an appropriate manner that protects their confidentiality, such as shredding, when no longer needed and in accordance with the requirements of state and federal law. Penalties for violating this Policy may include discipline up to and including dismissal, and violations of the Act are punishable to the extent of the law (P.A. 454 of 2004).

KDL POLICY 6.4

COMPENSATION

LAST REVISED 11.18.10

Wage payment plans for employees of Kent District Library shall be approved by the Board of Trustees. Granting of pay increases is dependent upon the availability of funds and individual work performance.

Bargaining unit employees shall be compensated as specified in the agreement with the United Auto Worker's Union Local 2600.

The Board of Trustees annually approves the pay ranges for management and administrative staff.

KDL POLICY 6.4.1

PERFORMANCE EVALUATION

LAST REVISED 9.17.09

Kent District Library shall require regular performance evaluations of all staff. Performance evaluations provide a means of recognizing job strengths, as well as developmental opportunities, and help staff to reach their full potential.

Merit increases shall be based upon a rating of the employee's work performance and budget availability. Such ratings shall be prepared at the completion of the initial employment period and on an employee's anniversary of hire date thereafter.

KDL POLICY 6.4.2

BENEFITS

LAST REVISED 3.21.13

Regular employees will receive benefits as outlined in the benefit schedules maintained in the Human Resources Department.

The Library provides health, vision, and dental insurance under a program approved by the Board of Trustees for all eligible full-time employees on the active payroll and their qualified dependents. Benefits and employee contribution amounts are subject to change as the Library deems necessary.

The Library provides life insurance for full-time employees on the active payroll provided that such life insurance shall only apply to deaths which are not compensable under the Worker's Compensation Laws of the State of Michigan or where the death benefits under such laws are less

than the face amount of the life insurance policy.

Additional benefits may also be offered at the discretion of the Library. Summary Plan descriptions of all insurance programs are provided to all employees by the Human Resources Department.

KDL POLICY 6.4.3

SICK LEAVE

LAST REVISED 3.21.13

The Library provides pay during disability leave of absence and sick leave days for full-time and part-time employees who have accrued sick time in accordance with the following:

- After the completion of the orientation period, full-time employees will begin earning eight (8) hours of sick leave on the first day of the month following employment and will earn eight (8) hours of sick leave on the first day of each month thereafter, exclusive of unpaid leaves of absence.

- Part-time employees working twenty (20) or more hours per week shall, upon completion of their orientation period, be credited with pro-rata sick leave benefits based on the remaining months in the calendar year and upon the ratio of their hired hours to a full-time (40-hour) position. Thereafter, sick leave will be credited on the same pro-rata basis annually each January 1. A part-time employee must work a minimum of either 1) their hired hours multiplied by the number of weeks employed in the preceding calendar year or 2) 1,000 hours, in order to retain sick leave eligibility, exclusive of Section 11.3(b) of the labor agreement. Part-time employees hired after December 31, 2009 shall earn Paid Time Off (PTO) in lieu of sick time, at a rate specified by the labor agreement.

- Sick time may accumulate up to a maximum of one thousand four hundred and forty (1,440) hours.

- Any unused and accumulated sick leave earned during full-time employment shall be placed in escrow when the employee transfers to part-time employment and shall be unavailable for use by the employee until the employee returns to full-time employment, provided however, a full-time employee transferring to a part-time position may utilize his/her accumulated sick leave while in such position in an amount not to exceed twenty-four (24) hours times his/her years of continuous full-time employment.

KDL POLICY 6.4.4

SICK TIME PAYMENT

LAST REVISED 3.21.13

Payment of accrued sick leave/Paid Time Off (PTO) will be authorized in the following instances:

- When it is established to the Library's satisfaction that an employee is incapacitated from the safe performance of his/her job duties because of sickness or injury. No sick leave/PTO will be granted for minor ailments which would not affect the safety of the employee, other persons, or property while performing the job duties. Sick leave/PTO will not be granted to a terminating employee after the last day worked.

- Sick leave/PTO may be granted when unusual situations or emergencies exist in the employee's immediate family. Such leave must be approved by the department head or branch manager.

- Sick leave/PTO may be granted for necessary doctor/dental appointments. Except in the case of an emergency, such leave must be approved by the department head or branch manager in advance.

- An employee who retires under the Kent District Retirement Plan and who has on the date of his or her retirement an accumulated and unused sick leave balance of 240 hours (i.e., the equivalent of 30 days) or more, shall receive one-thousand dollars ($1,000) upon retirement.

KDL POLICY 6.4.5

DISABILITY LEAVE OF ABSENCE

LAST REVISED 5.19.05

A disability leave of absence will not be granted for a period longer than one (1) year, except that in special circumstances an employee may, at the discretion of the Library, be granted disability leave for a period of up to two (2) years with approval of the supervisor and the Executive Director. Disability leaves are only authorized for the period of time that an employee is disabled and employees are required to report their availability for work as soon as their physical condition permits.

Employees are required to return to work as soon as they are medically capable of performing their job. Where the work situation and the employee's medical condition permit, the Library may allow the employee to return to limited duties with the review and approval of the supervisor. The Library will provide reasonable accommodation to the extent required by the ADA and other applicable laws to employees who have permanent medical restrictions placed on their work

activities. The Library may, at its discretion, attempt to reinstate employees returning from extended disability leaves of absence to their former positions, but such reinstatement is not guaranteed. The Library will determine whether it is necessary to fill the employee's position while the employee is on disability leave.

KDL POLICY 6.4.6

WORKERS' DISABILITY COMPENSATION SUPPLEMENTAL PAY

LAST REVISED 10.24.19

In the case of incapacitating injuries or illnesses for which employees are, or may be, eligible for disability benefits under the workers' compensation law of the State of Michigan, such employees, with the approval of the Executive Director, shall be allowed salary payments, which with their compensation benefit, equal their regular net pay.

The period covered by the above shall not exceed six (6) calendar weeks, after which accrued sick time/Paid Time Off (PTO) may be utilized to maintain the difference between the compensation payment and the employee's regular net pay. Upon the exhaustion of accrued sick time, vacation leave and holiday time may be utilized to maintain the difference between the compensation payment and the employee's regular net pay.

After exhaustion of these benefits, the employee shall be entitled only to those benefits payable under the workers' compensation laws of the State of Michigan. All absence from work due to work related injury or illness must be accurately reported on the employee time report. Where applicable, all absences that likewise qualify as being covered under the Family Medical Leave Act shall be recorded as such concurrently.

KDL POLICY 6.4.7

EMERGENCY CLOSING COMPENSATION

LAST REVISED 5.15.14

When emergency conditions require that a Kent District Library facility be closed, employees may choose to utilize vacation time/holiday time/Paid Time Off (PTO), or, if approved by their supervisor, they may work alternate hours during the same pay period (provided overtime is not incurred) or be assigned to another location.

If a Library facility remains closed due to emergency conditions, an interim work schedule will be developed to handle work needs and employees will continue to receive pay based on authorized hours. Job descriptions or duties may be temporarily altered or reassigned. Reasonable effort will be made to maintain a useful work schedule and provide continuous employment for staff affected

by an emergency closing.

If the entire Library system experiences a short-term closure due to life-threatening emergency weather conditions, employees will continue to receive pay based on authorized hours.

KDL POLICY 6.5

WORK WEEK

LAST REVISED 5.19.05

The work week begins at 12:01 a.m. Monday and ends at midnight on Sunday.

Full-time employees shall be required to work 40 hours per week. Part-time employees are scheduled an average number of hours per week which amounts to less than 40 hours. Daily scheduled hours may vary from day to day and may change as scheduling priorities dictate. All employees are scheduled according to Library needs. Changes are left to the discretion of the supervisor.

Employees are subject to scheduling requirements that include all KDL operational hours and locations.

KDL POLICY 6.6

PROGRESSIVE ACTION POLICY

LAST REVISED 5.19.05

Kent District Library employees are expected to conduct themselves and their work in accordance with Kent District Library policies when they are on duty in the Library and when they serve as representatives of the Library. All Kent District Library employees are subject to disciplinary action as established by the Library for various offenses or infractions that conflict in spirit or letter with responsibilities of being a Library employee and representative. The degree of discipline will vary according to the magnitude or severity of the offenses, as determined by the Executive Director. Disciplinary action may take the form of verbal and written warnings, suspension, or dismissal.

If an employee's work record is free of discipline for a period of two (2) years, the employer will not take into account any prior infractions more than two (2) years old in imposing discipline, except in cases of physical violence, sexual harassment, or dishonesty.

While disciplinary records shall be retained by the employer, disciplinary actions shall remain in the employee's personnel file for a period of twenty-four (24) months for the purpose of progressive discipline.

KDL POLICY 6.6.1

COMPLAINT RESOLUTION PROCESS

LAST REVISED 5.19.05

1. The provisions of this section shall apply exclusively to non-bargaining unit staff. Such staff may file concerns regarding hours of work, wages, and benefits. Such concerns shall be submitted to the Executive Director in writing. Written concerns shall be investigated and addressed by the Executive Director or his/her designee, and care will be taken to keep the staff member informed of the status of the decision. If the concern is not addressed to the staff member's satisfaction, he or she may document their lack of satisfaction in a letter to the Executive Director and copied to the staff member's personnel file.

2. In cases of disciplinary action, including but not limited to suspension, demotion, or discharge, the employee shall be given written notice of the action taken and provided an opportunity to respond. Any non-bargaining unit employee may request a hearing with the Executive Director for review of disciplinary action taken against him/her. Such a hearing must be requested in writing within five (5) days of the action precipitating the need for the hearing. In any hearing, the employee has the right to have an attorney or another person present and to

present testimony on his/her behalf. The Executive Director's decision will be provided in writing within fourteen (14) days of the conclusion of the hearing. This decision will be final.

3. Nothing contained in this policy is intended to create a just-cause employment relationship or to establish a disciplinary policy that precludes the Library from discharging an employee at will.

KDL POLICY 6.7

VACATION ELIGIBILITY

LAST REVISED 12.15.22

Employees are eligible for vacation entitlement if they work or are on paid leaves of absence during each day during the preceding calendar year that they are scheduled to work; provided, however, that full-time employees may have up to one hundred seventy-six (176) hours of employment in an unpaid status in any calendar year without affecting their vacation eligibility. In the event that any full-time employee has one hundred seventy-seven (177) or more hours of employment in an unpaid status in one calendar year, that employee's vacation entitlement shall be reduced on a pro-rata basis for all hours of employment in an unpaid status in excess of one hundred seventy-six (176).

Employees earn paid vacation leave/PTO based upon their length of service with the Library. Vacation leave/PTO accrues on a calendar year basis and is credited to eligible employees on prorated basis each pay period. Benefit schedules detailing allotted vacation leave/PTO for employees are maintained in the Human Resources Department.

KDL POLICY 6.7.1

VACATION—PART TIME

LAST REVISED 1.31.17

A part-time employee hired prior to January 1, 2010 who regularly works twenty (20) or more hours per week or forty (40) or more hours per pay period shall be eligible for a vacation benefit in accordance with part-time vacation schedules. A part-time employee hired after January 1, 2010 shall earn Paid Time Off (PTO) in lieu of vacation time.

KDL POLICY 6.7.2

VACATION—CARRY FORWARD

LAST REVISED 4.19.12

Requests to carry forward vacation leave resulting in an excess of 26 days (208 hours) in the employee's vacation leave bank shall be made in writing to the employee's supervisor and must note the anticipated dates that the excess leave will be used. All carry forward of vacation leave must be approved by both the supervisor and the Executive Director. Such carry forward leave shall be allowed only for special personal reasons and for no longer than six months after the year in which the carry forward was credited.

Kent District Library shall not be required to reimburse an employee for such unused carry

forward leave upon voluntary separation if it exceeds the 26 day maximum, or is not used within the six (6) month limit.

KDL POLICY 6.7.3

PAYMENT OF UNUSED LEAVE + PAID TIME OFF (PTO)

LAST REVISED 7.17.14

Following twenty-four months (2 years) of service, those employees in good standing shall receive payment for all accrued but unused vacation leave, holiday leave, and Paid Time Off (PTO) upon termination of their employment with the Library provided they have given proper notice. Employees who retire after meeting or exceeding Kent District Library's normal retirement age shall accrue a pro-rata vacation entitlement as of their last day of employment.

KDL POLICY 6.7.4

BEREAVEMENT LEAVE

LAST REVISED 10.15.20

Upon notice to the supervisor, leave shall be given to attend the funeral or attend to personal family matters within six (6) months after each death of the employee's immediate family (this shall apply if the relationship is natural, by marriage, adoptive, step, or foster) according to the following procedure:

a. Spouse/partner, child, father, mother, sister, brother, or equivalent as determined by the employer – up to five (5) days. Employees will receive bereavement pay for the first three (3) days without charge to sick leave/Paid Time Off (PTO). The remaining two (2) days will be charged to sick leave/PTO. In the event that the employee has no spouse, they will be able to name one person for whom they will receive this special benefit of five (5) days off.

b. Father-in-law, mother-in-law, sister-in-law, brother-in-law, grandparent, or grandchild – up to three (3) days, the first day without charge to sick leave/PTO. The remaining two (2) days will be charged to sick leave/PTO.

c. Aunt, uncle, niece or nephew – up to two (2) days pay will be charged to the employee's sick leave/PTO.

d. General Bereavement Leave (for individuals not listed above) – not to exceed eight (8) hours of unpaid or vacation/PTO leave.

e. The Human Resources Department may grant additional unpaid leave for necessary

travel. Employees may be permitted to substitute vacation time/PTO for unpaid leave when they prefer, consistent with vacation/PTO and unpaid leave requests. Requests shall be in writing and copied to the employee's supervisor.

KDL POLICY 6.7.5

FAMILY + MEDICAL LEAVE ACT (FMLA)

LAST REVISED 10.15.20

The Library offers family and medical leave as provided by the Family and Medical Leave Act of 1993 (FMLA). This law allows a maximum of twelve (12) weeks of leave during a 12-month period of time, except for eligible employees who may take up to 26 weeks of leave to care for a covered military service member during a 12-month period measured from the first day that leave is taken to care for a covered military service member.

Leave time under this federal law and Library policy is subject to certain requirements and obligations.

A. FMLA Leave Eligibility – an employee is eligible for FMLA leave if the employee has been employed by the Library for at least twelve (12) months and has worked 1,250 hours during the most recent 12-month period. Leave can only be taken for any one, or more, of the following reasons:

   1) Birth of the employee's child and subsequent care after birth; *
   2) Placement of a child with the employee for adoption or foster care; *
   3) To care for the employee's spouse/partner, child, or parent who has a serious health condition;
   4) For a serious health condition that makes the employee unable to perform the employee's job;
   5) To care for a family member or next of kin who has experienced a serious illness or injury related to his or her active military duty; or
   6) To prepare for or attend to the immediate needs associated with the absence or pending absence of a spouse/partner, child, or parent of an employee who is a member of the National Guard or Reserves.

   *Leave for birth, child care, adoption, and foster care must occur within the twelve months following the event.

B. Definition of Serious Health Condition – A serious health condition generally is an illness, injury, impairment, or physical or mental condition requiring either

inpatient care or continuing treatment by a health care provider resulting in necessary absences from work on a recurring basis. Specifically, continuing treatment must involve one of the following:

1) A period of incapacity requiring absence from work, school or other regular daily activities of more than three consecutive calendar days and also involving two or more visits to a health care provider or one visit to a health care provider and a regimen of continuing treatment;
2) A chronic, serious health condition that continues over an extended period of time, requires period visits to a health care provider and may involve episodes of incapacity;
3) A permanent or long-term period of incapacity for which treatment may not be effective;
4) Multiple treatments for restorative surgery or for a condition likely to result in capacity for more than three days if not treated; or
5) Prenatal care of incapacity due to pregnancy.

Routine preventative physical and dental exams are excluded.

C. Intermittent or Reduced FMLA Leave Schedule – If leave is for the purposes of caring for a sick family member's or the employee's own serious health condition, or as permitted under the military care provisions, leave may be requested on an intermittent or a reduced leave (work) schedule if medically necessary. Certification of the medical necessity of intermittent leave or reduced leave (work) schedule is required by the Library from a health care provider (See "Medical Certification" below).

Leave for other purposes may be taken intermittently or on a reduced leave (work) schedule only if first approved by the Library.

D. Payment of Accrued Benefit Time – Ordinarily, FMLA leave is unpaid. However, depending upon the purpose for the leave, certain kinds of accrued paid benefit time off of work may be applied to the FMLA leave at either the employee's or the Library's option. All paid leaves can be applied to any unpaid FMLA leave relating to birth, placement of a child for adoption or foster care, or care for a family member. The Library will require applying accrued paid leaves to FMLA leave. However, employees may request to retain up to one-half (1/2) of their accrued vacation time/Paid Time Off (PTO) as of the date the Family and Medical Leave began. Such requests must be made in writing prior to the commencement of the leave unless the employee is prohibited from doing so because of an emergency.

E. FMLA Notification Requirements – An employee must give the Library at least thirty (30) days advance notice when the leave is foreseeable. If this is not possible, or the need for the leave is not foreseeable, then notice is to be given as soon as practicable. When requesting any leave (including sick leave, personal leave, personal days, and vacation), an employee must

provide sufficient information to the Library to establish a qualifying reason for the leave so the Library is aware of the employee's entitlement, if any, to FMLA leave. An employee using other paid leave for FMLA leave purposes who seeks to extend the leave for FMLA leave purposes must advise the Library of the reasons before any extension.

Employees are expected to follow all other notice and procedural requirements established by the Library for requesting leaves and in such cases employees are expected to give as much advance notice as possible.

F. FMLA Medical Certification — The Library requires timely medical certification from a health care provider to support leaves requested because of a serious health condition of the employee or family member and may, at its expense, require second or third opinions. Additional medical certifications or recertification may be required in certain circumstances. Employees requesting FMLA leave for the birth of a child, adoption, or foster care placement will be required to submit proof of the qualifying event.

An employee seeking to return to work from leave involving the employee's own serious health condition will first be required to submit a fitness-for-duty medical certification from a health care provider. Failure to do so may delay returning to work.

G. Health Coverage during FMLA Leave – During the course of the FMLA leave, an employee's preexisting health coverage benefit program will be maintained under the same terms and conditions established for active employment. This means that an employee is responsible for timely cost payments or contributions (if any) as may be required pursuant to the established Library Policy or applicable bargaining agreement. Except in certain circumstances, if an employee does not return to work from leave, then any health program premiums or payments made by the Library during the leave becomes a debt owed by the employee and must be repaid.

H. Return from FMLA Leave – Following expiration of the leave and return to work, an employee ordinarily will be reinstated to the employee's job position held immediately prior to the leave, or reinstated to an equivalent position. "Key employees" under the law may be denied reinstatement in certain circumstances, and appropriate employees will be advised of their "key" status and conditions for any denial of reinstatement before FMLA leave starts.

During the leave, an employee may be required to advise the Library from time to time regarding status and intent to return to work.

I. Failure to Follow FMLA Leave Requirements – If notification and certification requirements are not followed by an employee, it may result in denial of the requested leave or cancellation of existing leave.

It is the employee's responsibility to request FMLA leave on the same or next business day after the need for leave becomes known, absent an emergency situation. Employees must submit a completed FMLA request form including the specific reason(s) for the leave request as well as provide other information as requested by the Library.

Kent District Library also adheres to temporary leave laws such as these, which may be enacted into law during times of emergency.

KDL POLICY 6.7.6

PERSONAL LEAVE OF ABSENCE WITHOUT PAY

LAST REVISED 4.19.12

Personal leave of absence without pay may be granted at the discretion of the Library. All requests for a personal leave of absence must be in writing and state the reasons for and the duration of the requested leave. The written request must be signed by the employee. Approval shall be in writing by the employee's supervisor and the Executive Director.

Employees on personal leave are required to utilize any banked vacation leave, holiday leave, or Paid Time Off (PTO) to which they are entitled, from the beginning of the leave. Exceptions may be approved by the Executive Director.

While on personal leave without pay, an employee does not accumulate continuous service credit, but retains credit for previous service.

Employees who accept other full-time employment while on personal leave will be considered to have resigned their Kent District Library employment.

The Library may, at its discretion, grant reemployment during or at the end of the approved personal leave.

KDL POLICY 6.7.7

PERSONAL LEAVE OF ABSENCE WITH PAY

LAST REVISED 5.19.05

Personal leaves of absence may be granted with pay upon approval of the Executive Director. Paid personal leave for educational purposes may be granted by the Executive Director when course work is necessary to provide an employee the minimum knowledge necessary to perform the changing job requirements of his/her position.

Employees on personal leaves of absence, including those leaves for educational purposes, do not have reemployment rights to their former position unless reemployment has been agreed to, in writing, by the employee's supervisor and the Executive Director prior to the leave.

KDL POLICY 6.7.8

JURY LEAVE

LAST REVISED 12.15.22

Employees summoned by a court to serve as jurors shall be given a jury leave of absence for the period of their jury duty. For each day that an eligible employee serves as a juror when the employee otherwise would have worked, the employee shall receive his/her straight time regular rate of pay for up to eight (8) hours. Proof of attendance is required, but the nominal fee paid by the court including mileage and parking reimbursement may be retained by the employee.

KDL POLICY 6.7.9

MILITARY LEAVE

LAST REVISED 6.19.03

A military leave of absence will be granted to employees who are absent from work because of service in the United States Uniformed Services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA). Advance notice of military service is required unless military necessity prevents such notice or if it is otherwise impossible or unreasonable.

Employees who enter active military service in any branch of the Armed Forces of the United States or the National Guard shall be entitled to reemployment rights in accordance with the Federal and State statutes governing such reemployment rights in effect at the time the employee seeks reemployment with the Library.

Under the USERRA statutes, employees who are on military leave will have the right to

continuation of health insurance benefits based on the length of the leave and subject to the terms, conditions and limitations of the applicable plans for which the employee is otherwise eligible. Benefit accruals such as vacation, sick, and holiday time will be suspended during the leave and will resume upon the employee's return to active employment.

For each day that a full-time employee is on such non-emergency duty leave, when the employee otherwise would have worked, the employee shall receive the difference between the employee's salary or regular straight time rate of pay for up to eight (8) hours and the amount the employee received for such training for up to a maximum of ten (10) days per year.

For each day that a full-time employee is on such emergency duty leave, when the employee otherwise would have worked, the employee shall receive the difference between the employee's salary or regular straight time rate of pay for up to eight (8) hours and the amount the employee received for such emergency duty for up to a maximum of five (5) days. All other leaves not specified in this policy shall be unpaid.

KDL POLICY 6.7.10

HOLIDAY ACCRUAL + ELIGIBILITY

LAST REVISED 5.16.13

Full-time employees shall be entitled to holiday leave with pay for the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, December 24, and Christmas Day. Full-time employees will also be credited quarterly with floating holidays for the following recognized holidays: Martin Luther King Jr.'s Birthday, Presidents Day, Veterans Day, the day after Thanksgiving, and the Employee's Birthday.

Part-time employees who regularly work not less than twenty (20) hours each week shall receive four (4) floating holidays consisting of eight (8) hours of pay each. Accrual will occur quarterly in recognition of the following holidays: New Year's Day, Memorial Day, Labor Day, and Christmas Day. For part-time employees, floating holidays must be taken on a day when the library system is closed.

Use of a floating holiday is subject to the following conditions:

- It is approved in advance by the employee's supervisor;
- It is taken within twelve (12) months following the day it was credited (floating holidays not taken shall be forfeited); and
- It is compensated at the employee's regular rate.

In order for an employee to be eligible for a holiday with pay, he/she must be an active employee on the day of the holiday.

When one of the recognized holidays falls on a Sunday, Monday shall be observed as a holiday. When a recognized holiday falls on a Saturday, the preceding Friday shall be observed as a holiday.

KDL POLICY 6.8

TRANSPORTATION REIMBURSEMENT

LAST REVISED 12.19.02

Kent District Library employees shall be reimbursed for public transportation or mileage and parking expenses incurred while using their private vehicle in the performance of official duties. The employee is responsible for maintaining a record of transportation costs. Mileage shall be reimbursed at the actual IRS rate.

KDL POLICY 6.8.1

HONORARIA

LAST REVISED 12.19.02

Kent District Library staff members requested to speak at job-related meetings or workshops are encouraged to do so. Formal presentation proposals must be approved by the Executive Director prior to acceptance of the commitment. When engagements of this nature involve an honorarium paid by the sponsor to the staff member, the Library requires the individual to remit this payment to Kent District Library if they attend and participate during Library time (i.e., on a scheduled work day approved and credited as time worked). If, however, the employee participates on the employee's own time (e.g., vacation, holiday, or day off), the employee may keep the honorarium payment.

Kent District Library staff members approved as presenters remain subject to other KDL policies regarding conference attendance and transportation reimbursement.

This policy does not pertain to an employee hired elsewhere to work as a consultant. Such work must be conducted on the employee's own time.

KDL POLICY 6.8.2

PROFESSIONAL ASSOCIATION/COMMUNITY ORGANIZATION MEMBERSHIPS

LAST REVISED 12.19.02

Kent District Library encourages employees to actively participate in professional associations and community organizations related to their work which are mutually beneficial to KDL and the professional growth of the employee.

Upon approval by the Director, Kent District Library will pay for memberships which benefit library operations in the following manner:

- Leadership Team and KDL Board members – in areas related to their position.

- Management – one annual professional membership and one annual community membership.

- Other Employees – one annual membership for staff actively engaged in committee work with the approval of their immediate supervisor and the Executive Director.

KDL POLICY 6.9

DRUG-FREE WORKPLACE

LAST REVISED 11.19.09

It is the right, obligation, and intent of Kent District Library to maintain the highest standards of health, safety, and security for staff, patrons, and the general public to protect Library property and operations, and to comply with both the letter and spirit of the Drug-Free Workplace Act of 1988.

The unlawful manufacture, distribution, dispensation, possession, being under the influence or use of an illegal substance on library premises or while conducting library business off the premises is prohibited. Violations of this policy will result in immediate disciplinary action up to and including termination and may have legal consequences.

The Library recognizes drug dependency as a major health problem. The Library also recognizes drug abuse as a potential health, safety, and security problem. Employees needing help in dealing with such problems are encouraged to seek counseling or treatment as appropriate.

Employees must, as a condition of employment, abide by the terms of the above policy and report any conviction under a criminal drug statute for violations occurring on or off library premises while conducting library business. A report of a conviction must be made within five days after the conviction; this requirement is mandated by the Federal Drug-free Workplace Act of 1988. Convictions for criminal drug offenses while conducting library business will be subject to discipline up to and including discharge.

Employees are required to submit to a blood, hair follicle, or urinalysis examination for the purpose of detection of the employee's use of unauthorized prescriptive drugs, illegal drugs, controlled substances and/or alcohol in the following circumstances:

At any time, if the Library has a reasonable suspicion that the employee in question:

a) is under the influence, impaired or otherwise affected by the use of drugs and/or alcohol;
b) is currently possessing on library premises or in library vehicles unauthorized drugs and/or alcohol; or
c) has sold or distributed drugs and/or alcohol on library premises or attempted the same.

Last Chance – An employee who voluntarily discloses a dependency on drugs/alcohol to the Library and voluntarily undergoes a Library approved supervised detoxification treatment program will be given a leave of absence for such purposes of up to ninety (90) days and the Library will refrain from taking any disciplinary action against the employee provided that:

a) such disclosure is the first and only involvement with drugs/alcohol for the employee;
b) the employee satisfactorily completes the detoxification treatment program as prescribed;
c) the employee remains free of drug/alcohol use and strictly complies with the employer's drug free program;
d) the employee submits to periodic drug/alcohol testing upon his/her return to work for a period of two (2) years; and
e) the employee is not under current disciplinary action.

The Library will not refrain from taking disciplinary action when the employee is being considered for discipline for drug/alcohol use on library premises or for other disciplinary action unrelated to the employee's voluntary disclosure of his/her drug or alcohol dependency.

KDL POLICY 6.10

ELECTRONIC COMMUNICATIONS POLICY

LAST REVISED 11.19.20

Kent District Library provides Electronic Resources to employees for the Library's business use. Electronic Resources include, but are not limited to: computer hardware and software, communications equipment (such as landline and cell telephones, smart phones, fax machines, external drives, digital cameras and PDA's) and all communications and information transmitted by, received from, entered into or stored on these systems, including but not limited to: email, voicemail, text messaging and facsimiles.

Permitted Uses

Excessive personal use of Electronic Resources is prohibited. Occasional personal use of Electronic Resources that does not interfere with Library business or employee duties may be permitted at the discretion of supervising staff. Kent District Library owns the Electronic Resources and permits employees to use them in performance of their duties.

When using Electronic Resources, take care to ensure that all communications and messages are courteous, professional and businesslike. Never use Electronic Resources to create, originate, share or transmit any offensive or harassing statements, images or messages that disparage or discriminate against a person based upon the person's race, color, gender, religion, sexual orientation, national origin, disability, height, weight, pregnancy, marital status, age or other protected status. Accessing or displaying any kind of sexually explicit image or document on Electronic Resources is a violation of the Library's policy on sexual harassment. Do not download or store any such statements, messages, documents or images on Electronic Resources. If you are the recipient of such content, inform the Executive Director.

Prohibited Uses

Certain activities are prohibited when using Electronic Resources. These include, but are not limited to:

1. gambling, obtaining or distributing pornographic materials and all other illegal activity;

2. introducing software into any Kent District Library Electronic Resources that is potentially harmful to the integrity of the system or that violates the terms of applicably computer software licensing agreements or copyright laws;

3. using Electronic Resources to send, upload, receive or download trade secrets, proprietary financial information, license agreements, patents or similar materials;

4. using Electronic Resources for personal commercial purposes;

5. using any data or other information on Electronic Resources for personal gain or for the advantage of any outside third party;

6. permitting any unauthorized person to gain access to Electronic Resources; or

7. sending email using another's identity, an assumed name or anonymously.

No expectation of Privacy

Kent District Library owns and has the right to monitor, access, retrieve, read and disclose all information and materials that are created, sent, received, accessed or stored using Electronic Resources. All information contained in or transmitted through Electronic Resources are to be considered Kent District Library records. There is no expectation of privacy with respect to any information on Electronic Resources. Employees should not assume any information sent, received, accessed or stored on Kent District Library's Electronic Resources are private or confidential. The Library reserves the right to record and monitor all access and use of Electronic Resources. By accessing and using Electronic Resources, and as a condition of such use, the Library employees consent to the Library's monitoring.

Security

You must not attempt to interfere with Library's ability to monitor your use of Electronic Resources by using any unauthorized encryption method, by failing to enter your assigned user identification when logging onto Electronic Resources or in any other manner. You must keep any and all assigned user identification, access codes or passwords strictly confidential and must not let anyone else use a terminal which you have logged on using such confidential information. DO NOT share your passwords with any other person, including other employees. Do not open email messages or their attachments unless you are certain that they are safe.

Employees are responsible for exercising good judgment regarding the reasonableness of their use of the Library's Electronic Resources. If there is any uncertainty, you should consult with the Executive Director.

Violation of these guidelines will be considered grounds for disciplinary action, up to and including discharge.

KDL POLICY 6.11

WHISTLEBLOWER POLICY

LAST REVISED 7.19.12

Kent District Library adheres to the rules, rights, and responsibilities of employees and employers as defined in the Whistleblowers' Protection Act 1980 PA 469 (as amended). The Library has a responsibility for the stewardship of its resources and, to that end, works to ensure all laws, policies, and procedures are adhered to so as to promote a culture of ethical accountability.

A "whistleblower" as defined by this policy is a Library employee who reports an activity that he/she considers to be illegal, dishonest, or in violation of Library policy (i.e., misconduct). If an employee has knowledge, concern, or suspicion of misconduct of any kind, he/she shall inform, through written memorandum or e-mail: (a) his/her immediate supervisor, (b) the Director of Human Resources and Organizational Development, or (c) the Executive Director. Any individual represented by these functions may serve as a complaint investigator.

The Library has an obligation to investigate and report allegations of suspected improper activities and the actions taken by the Library to correct misconduct. Once received, the complaint investigator shall confer with at least one other individual from the above list to ensure that a thorough, appropriate, and timely investigation is conducted. If a complaint investigator has a conflict of interest, an alternate shall be appointed.

While efforts to maintain the confidentiality of the whistleblower will be taken, this shall be secondary to the objective of conducting a thorough investigation. In all cases, the Library, its representatives, and its officers shall not retaliate or discriminate against a whistleblower. This includes, but is not limited to, threats of physical harm, harassment of any kind, and protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, or unfavorable work assignments. A whistleblower who suspects they have become a victim of retaliation or discrimination shall document the allegation in a letter to the Chair of the Kent District Library Board of Trustees within seven (7) days of the alleged retaliation or discrimination. The rights of a whistleblower for protection against retaliation or discrimination does not include immunity for any personal wrongdoing that is discovered through the investigation process.

KDL POLICY 6.12

BOARD MEMBER COMPENSATION

LAST REVISED 4.20.23

Kent District Library may reimburse Board members for KDL Board meetings and other KDL business, as well as Board members/representatives who serve as Lakeland Library Cooperative Board members or as members of the KDL Pension Board. They may be paid $30.00 per such meeting they attend and be reimbursed for mileage to/from their home address on file with KDL. Other KDL business, such as branch visits with staff, will be reimbursed for mileage only to/from their home address to/from KDL locations, and to/from each KDL location when conducting multiple meetings back-to-back. It is the responsibility of the Board members/representatives to update their home address with KDL personnel.

KDL POLICY 6.13

CONFERENCE ATTENDANCE—BOARD + STAFF

LAST REVISED 12.19.02

Board members are encouraged to attend state and national conferences, as well as local workshops, seminars, and meetings. Funds will be budgeted annually to allow for Board member attendance at conferences.

Staff members may be selected to attend conferences or other functions that contribute to their professional growth. Time off with pay, including travel time, may be allowed to attend conferences, workshops, and other meetings. Employees wishing to attend conferences must have prior written approval from their supervisor and the Director of Human Resources and Organizational Development. Conference attendance approval is dependent on scheduling, budgetary constraints, and previous conference attendance. Employees are expected to share their conference and workshop experiences with other KDL staff members.

KDL POLICY 6.14

VOLUNTEERS

MOVED 12.20.18

Kent District Library may use volunteers for a variety of tasks or projects. Volunteers do not displace established staff positions and do not have access to staff computers. Care is taken that assignments do not infringe upon the responsibilities of regular paid staff.

Volunteers must be age 14 or older. Volunteers younger than 18 years of age must complete an application and have it signed by a parent or guardian. Adult volunteers must complete an application including a criminal background check. All volunteers receive orientation and training. A volunteer may work on a short-term project or serve on a regular basis.

KDL POLICY 6.14.1

VOLUNTEER BACKGROUND VERIFICATION

MOVED 01.19.23

Kent District Library requires, as a condition of volunteering, that regular volunteers over the age of 18 consent to and authorize a verification of the background information submitted.

This release and authorization acknowledge that Kent District Library may obtain the following: any criminal history record information pertaining to the volunteer which may be in the files of any federal, state, or local criminal justice agency in Michigan or any other states/countries of origin; and/or information as deemed necessary, relevant and applicable to volunteer requirements. Kent District Library will not obtain any type of information from the volunteer's personal credit/financial history record.

The results of this verification process will be used to determine volunteer eligibility under Kent District Library's policies. No volunteer opportunities will be made available without the completion of the background verification process. KDL cannot be held liable for inaccurate information received when performing background verification checks.

Refusal to consent to and authorize a verification of background information will result in immediate disqualification of consideration for any volunteer opportunities.

Kent District Library will not allow individuals to volunteer who have been convicted of any felony or who have been convicted of a misdemeanor offense for assault; child abuse; criminal sexual conduct; use, possession, or sale of weapons; or violations of Article 7 of the Michigan Public Health Code (Controlled Substances) (MCL 333.7101 et seq.) The Human Resources Department will review all other convictions and pending criminal charges of a potential volunteer on an individual basis with the

final decision resting with the Executive Director.

Kent District Library will provide a volunteer, whose information found in a background check results in an adverse action, with the information as required by the Fair Credit Reporting Act. All results that are obtained by the background verification process will be proprietary and kept confidential, to the extent permitted by law. The information obtained will not be voluntarily provided to any parties other than to designated Kent District Library personnel or legal counsel with a need to know.

APPENDIX

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KDL APPENIX I

LIBRARY BILL OF RIGHTS

The American Library Association affirms that all libraries are forums for information and ideas, and that the following basic policies should guide their services:

I. Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation.

II. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.

III. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.

IV. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.

V. A person's right to use a library should not be denied or abridged because of origin, age, background, or views.

VI. Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.

Adopted June 18, 1948, by the ALA Council; amended February 2, 1961; amended June 28, 1967; amended January 23, 1980; inclusion of "age" reaffirmed January 24, 1996.

KDL APPENDIX II

FREEDOM TO READ STATEMENT

The freedom to read is essential to our democracy. It is continuously under attack. Private groups and public authorities in various parts of the country are working to remove or limit access to reading materials, to censor content in schools, to label "controversial" views, to distribute lists of "objectionable" books or authors, and to purge libraries. These actions apparently rise from a view that our national tradition of free expression is no longer valid; that censorship and suppression are needed to counter threats to safety or national security, as well as to avoid the subversion of politics and the corruption of morals. We, as individuals devoted to reading and as librarians and publishers responsible for disseminating ideas, wish to assert the public interest in the preservation of the freedom to read.

Most attempts at suppression rest on a denial of the fundamental premise of democracy: that the ordinary individual, by exercising critical judgment, will select the good and reject the bad. We trust Americans to recognize propaganda and misinformation, and to make their own decisions about what they read and believe. We do not believe they are prepared to sacrifice their heritage of a free press in order to be "protected" against what others think may be bad for them. We believe they still favor free enterprise in ideas and expression.

These efforts at suppression are related to a larger pattern of pressures being brought against education, the press, art and images, films, broadcast media, and the Internet. The problem is not only one of actual censorship. The shadow of fear cast by these pressures leads, we suspect, to an even larger voluntary curtailment of expression by those who seek to avoid controversy or unwelcome scrutiny by government officials.

Such pressure toward conformity is perhaps natural to a time of accelerated change. And yet suppression is never more dangerous than in such a time of social tension. Freedom has given the United States the elasticity to endure strain. Freedom keeps open the path of novel and creative solutions, and enables change to come by choice. Every silencing of a heresy, every enforcement of an orthodoxy, diminishes the toughness and resilience of our society and leaves it the less able to deal with controversy and difference.

Now as always in our history, reading is among our greatest freedoms. The freedom to read and write is almost the only means for making generally available ideas or manners of expression that can initially command only a small audience. The written word is the natural medium for the new idea and the untried voice from which come the original contributions to social growth. It is essential to the extended discussion that serious thought requires, and to the accumulation of knowledge and ideas into organized collections.

We believe that free communication is essential to the preservation of a free society and a creative culture. We believe that these pressures toward conformity present the danger of limiting the range and variety of inquiry and expression on which our democracy and our culture depend. We believe that every American community must jealously guard the freedom to publish and to circulate, in order to preserve its own freedom to read. We believe that publishers and librarians have a profound responsibility to give validity to that freedom to read by making it possible for the readers to choose freely from a variety of offerings. uaranteed by the Constitution. Those with faith in free people will stand firm on these constitutional guarantees of essential rights and will exercise the responsibilities that accompany these rights.

We therefore affirm these propositions:

It is in the public interest for publishers and librarians to make available the widest diversity of views and expressions, including those that are unorthodox, unpopular, or considered dangerous by the majority.

Creative thought is by definition new, and what is new is different. The bearer of every new thought is a rebel until that idea is refined and tested. Totalitarian systems attempt to maintain themselves in power by the ruthless suppression of any concept that challenges the established orthodoxy. The power of a democratic system to adapt to change is vastly strengthened by the freedom of its citizens to choose widely from among conflicting opinions offered freely to them. To stifle every nonconformist idea at birth would mark the end of the democratic process. Furthermore, only through the constant activity of weighing and selecting can the democratic mind attain the strength demanded by times like these. We need to know not only what we believe but why we believe it.

1. *Publishers, librarians, and booksellers do not need to endorse every idea or presentation they make available. It would conflict with the public interest for them to establish their own political, moral, or aesthetic views as a standard for determining what should be published or circulated.*

   Publishers and librarians serve the educational process by helping to make available knowledge and ideas required for the growth of the mind and the increase of learning. They do not foster education by imposing as mentors the patterns of their own thought. The people should have the freedom to read and consider a broader range of ideas than those that may be held by any single librarian or publisher or government or church. It is wrong that what one can read should be confined to what another thinks proper.

2. *It is contrary to the public interest for publishers or librarians to bar access to writings on the basis of the personal history or political affiliations of the author.*

No art or literature can flourish if it is to be measured by the political views or private lives of its creators. No society of free people can flourish that draws up lists of writers to whom it will not listen, whatever they may have to say.

3. *There is no place in our society for efforts to coerce the taste of others, to confine adults to the reading matter deemed suitable for adolescents, or to inhibit the efforts of writers to achieve artistic expression.*

   To some, much of modern expression is shocking. But is not much of life itself shocking? We cut off literature at the source if we prevent writers from dealing with the stuff of life. Parents and teachers have a responsibility to prepare the young to meet the diversity of experiences in life to which they will be exposed, as they have a responsibility to help them learn to think critically for themselves. These are affirmative responsibilities, not to be discharged simply by preventing them from reading works for which they are not yet prepared. In these matters values differ, and values cannot be legislated; nor can machinery be devised that will suit the demands of one group without limiting the freedom of others.

4. *It is not in the public interest to force a reader to accept the prejudgment of a label characterizing any expression or its author as subversive or dangerous.*

   The ideal of labeling presupposes the existence of individuals or groups with wisdom to determine by authority what is good or bad for others. It presupposes that individuals must be directed in making up their minds about the ideas they examine. But Americans do not need others to do their thinking for them.

5. *It is the responsibility of publishers and librarians, as guardians of the people's freedom to read, to contest encroachments upon that freedom by individuals or groups seeking to impose their own standards or tastes upon the community at large; and by the government whenever it seeks to reduce or deny public access to public information.*

   It is inevitable in the give and take of the democratic process that the political, the moral, or the aesthetic concepts of an individual or group will occasionally collide with those of another individual or group. In a free society individuals are free to determine for themselves what they wish to read, and each group is free to determine what it will recommend to its freely associated members. But no group has the right to take the law into its own hands, and to impose its own concept of politics or morality upon other members of a democratic society. Freedom is no freedom if it is accorded only to the accepted and the inoffensive. Further, democratic societies are more safe, free, and creative when the free flow of public information is not restricted by governmental prerogative or self-censorship.

6. *It is the responsibility of publishers and librarians to give full meaning to the freedom to read by providing books that enrich the quality and diversity of thought and expression. By the exercise of this affirmative responsibility, they can demonstrate that the answer to a "bad" book is a good one, the answer to a "bad" idea is a good one.*

   The freedom to read is of little consequence when the reader cannot obtain matter fit for that reader's purpose. What is needed is not only the absence of restraint, but the positive provision of opportunity for the people to read the best that has been thought and said. Books are the major channel by which the intellectual inheritance is handed down, and the principal means of its testing and growth. The defense of the freedom to read requires of all publishers and librarians the utmost of their faculties, and deserves of all Americans the fullest of their support.

We state these propositions neither lightly nor as easy generalizations. We here stake out a lofty claim for the value of the written word. We do so because we believe that it is possessed of enormous variety and usefulness, worthy of cherishing and keeping free. We realize that the application of these propositions may mean the dissemination of ideas and manners of expression that are repugnant to many persons. We do not state these propositions in the comfortable belief that what people read is unimportant. We believe rather that what people read is deeply important; that ideas can be dangerous; but that the suppression of ideas is fatal to a democratic society. Freedom itself is a dangerous way of life, but it is ours.

This statement was originally issued in May of 1953 by the Westchester Conference of the American Library Association and the American Book Publishers Council, which in 1970 consolidated with the American Educational Publishers Institute to become the Association of American Publishers.

Adopted June 25, 1953, by the ALA Council and the AAP Freedom to Read Committee; amended January 28, 1972; January 16, 1991; July 12, 2000; June 30, 2004.

A Joint Statement by:
American Library Association Association of American Publishers

Subsequently endorsed by:
American Booksellers Foundation for Free Expression The Association of American University Presses, Inc. The Children's Book Council
Freedom to Read Foundation National Association of College Stores National Coalition Against Censorship
National Council of Teachers of English
The Thomas Jefferson Center for the Protection of Free Expression

KDL POLICY APPENDIX III

FREEDOM TO VIEW STATEMENT

The **FREEDOM TO VIEW**, along with the freedom to speak, to hear, and to read, is protected by the First Amendment to the Constitution of the United States. In a free society, there is no place for censorship of any medium of expression. Therefore these principles are affirmed:

1. To provide the broadest access to film, video, and other audiovisual materials because they are a means for the communication of ideas. Liberty of circulation is essential to insure the constitutional guarantee of freedom of expression.
2. To protect the confidentiality of all individuals and institutions using film, video, and other audiovisual materials.
3. To provide film, video, and other audiovisual materials which represent a diversity of views and expression. Selection of a work does not constitute or imply agreement with or approval of the content.
4. To provide a diversity of viewpoints without the constraint of labeling or prejudging film, video, or other audiovisual materials on the basis of the moral, religious, or political beliefs of the producer or filmmaker or on the basis of controversial content.
5. To contest vigorously, by all lawful means, every encroachment upon the public's freedom to view.

This statement was originally drafted by the Freedom to View Committee of the American Film and Video Association (formerly the Educational Film Library Association) and was adopted by the AFVA Board of Directors in February 1979. This statement was updated and approved by the AFVA Board of Directors in 1989.

Endorsed January 10, 1990, by the ALA Council

KDL POLICY APPENDIX IV

CHALLENGED MATERIALS

An Interpretation of the Library Bill of Rights

The American Library Association declares as a matter of firm principle that it is the responsibility of every library to have a clearly defined materials selection policy in written form that reflects the *Library Bill of Rights*, and that is approved by the appropriate governing authority.

Challenged materials that meet the criteria for selection in the materials selection policy of the library should not be removed under any legal or extra-legal pressure. The *Library Bill of Rights* states in Article I that "Materials should not be excluded because of the origin, background, or views of those contributing to their creation," and in Article II, that "Materials should not be proscribed or removed because of partisan or doctrinal disapproval." Freedom of expression is protected by the Constitution of the United States, but constitutionally protected expression is often separated from unprotected expression only by a dim and uncertain line. The Constitution requires a procedure designed to focus searchingly on challenged expression before it can be suppressed. An adversary hearing is a part of this procedure.

Therefore, any attempt, be it legal or extra-legal, to regulate or suppress materials in libraries must be closely scrutinized to the end that protected expression is not abridged.

Adopted June 25, 1971, by the ALA Council; amended July 1, 1981; January 10, 1990. [ISBN 8389-6083-9]

KDL POLICY APPENDIX V

DIVERSITY IN COLLECTION DEVELOPMENT

An Interpretation of the Library Bill of Rights

Throughout history, the focus of censorship has fluctuated from generation to generation. Books and other materials have not been selected or have been removed from library collections for many reasons, among which are prejudicial language and ideas, political content, economic theory, social philosophies, religious beliefs, sexual forms of expression, and other potentially controversial topics.

Some examples of censorship may include removing or not selecting materials because they are considered by some as racist or sexist; not purchasing conservative religious materials; not selecting materials about or by minorities because it is thought these groups or interests are not represented in a community; or not providing information on or materials from non- mainstream political entities.

Librarians may seek to increase user awareness of materials on various social concerns by many means, including, but not limited to, issuing bibliographies and presenting exhibits and programs. Librarians have a professional responsibility to be inclusive, not exclusive, in collection development and in the provision of interlibrary loan. Access to all materials legally obtainable should be assured to the user, and policies should not unjustly exclude materials even if they are offensive to the librarian or the user. Collection development should reflect the philosophy inherent in Article II of the *Library Bill of Rights*: "Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval." A balanced collection reflects a diversity of materials, not an equality of numbers. Collection development responsibilities include selecting materials in the languages in common use in the community the library serves. Collection development and the selection of materials should be done according to professional standards and established selection and review procedures.

There are many complex facets to any issue, and variations of context in which issues may be expressed, discussed, or interpreted. Librarians have a professional responsibility to be fair, just, and equitable and to give all library users equal protection in guarding against violation of the library patron's right to read, view, or listen to materials and resources protected by the First Amendment, no matter what the viewpoint of the author, creator, or selector. Librarians have an obligation to protect library collections from removal of materials based on personal bias or prejudice, and to select and support the access to materials on all subjects that meet, as closely as possible, the needs, interests, and abilities of all persons in the community the library serves. This includes materials that reflect political, economic, religious, social, minority, and sexual issues.

Intellectual freedom, the essence of equitable library services, provides for free access to all

expressions of ideas through which any and all sides of a question, cause, or movement may be explored. Toleration is meaningless without tolerance for what some may consider detestable. Librarians cannot justly permit their own preferences to limit their degree of tolerance in collection development, because freedom is indivisible.

Adopted July 14, 1982, by the ALA Council; amended January 10, 1990. [ISBN 8389-6552-0]

KDL POLICY APPENDIX VI

EVALUATING LIBRARY COLLECTIONS

An Interpretation of the Library Bill of Rights

The continuous review of library materials is necessary as a means of maintaining an active library collection of current interest to users. In the process, materials may be added and physically deteriorated or obsolete materials may be replaced or removed in accordance with the collection maintenance policy of a given library and the needs of the community it serves. Continued evaluation is closely related to the goals and responsibilities of all libraries and is a valuable tool of collection development. This procedure is not to be used as a convenient means to remove materials presumed to be controversial or disapproved of by segments of the community. Such abuse of the evaluation function violates the principles of intellectual freedom and is in opposition to the Preamble and Articles I and II of the *Library Bill of Rights*, which state:

The American Library Association affirms that all libraries are forums for information and ideas, and that the following basic policies should guide their services.

I. Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation.

II. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.

III. The American Library Association opposes such "silent censorship" and strongly urges that libraries adopt guidelines setting forth the positive purposes and principles of evaluation of materials in library collections.

Adopted February 2, 1973, by the ALA Council; amended July 1, 1981. [ISBN 8389-5406-5]

KDL APPENDIX VII

EXHIBIT SPACES + BULLETIN BOARDS

An Interpretation of the Library Bill of Rights

Libraries often provide exhibit spaces and bulletin boards. The uses made of these spaces should conform to the *Library Bill of Rights*: Article I states, "Materials should not be excluded because of the origin, background, or views of those contributing to their creation." Article II states, "Materials should not be proscribed or removed because of partisan or doctrinal disapproval." Article VI maintains that exhibit space should be made available "on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use."

In developing library exhibits, staff members should endeavor to present a broad spectrum of opinion and a variety of viewpoints. Libraries should not shrink from developing exhibits because of controversial content or because of the beliefs or affiliations of those whose work is represented. Just as libraries do not endorse the viewpoints of those whose work is represented in their collections, libraries also do not endorse the beliefs or viewpoints of topics that may be the subject of library exhibits.

Exhibit areas often are made available for use by community groups. Libraries should formulate a written policy for the use of these exhibit areas to assure that space is provided on an equitable basis to all groups that request it.

Written policies for exhibit space use should be stated in inclusive rather than exclusive terms. For example, a policy that the library's exhibit space is open "to organizations engaged in educational, cultural, intellectual, or charitable activities" is an inclusive statement of the limited uses of the exhibit space. This defined limitation would permit religious groups to use the exhibit space because they engage in intellectual activities, but would exclude most commercial uses of the exhibit space.

A publicly supported library may designate use of exhibit space for strictly library- related activities, provided that this limitation is viewpoint neutral and clearly defined.

Libraries may include in this policy rules regarding the time, place, and manner of use of the exhibit space, so long as the rules are content neutral and are applied in the same manner to all groups wishing to use the space. A library may wish to limit access to exhibit space to groups within the community served by the library. This practice is acceptable provided that the same rules and regulations apply to everyone, and that exclusion is not made on the basis of the doctrinal, religious, or political beliefs of the potential users.

The library should not censor or remove an exhibit because some members of the community may

disagree with its content. Those who object to the content of any exhibit held at the library should be able to submit their complaint and/or their own exhibit proposal to be judged according to the policies established by the library.

Libraries may wish to post a permanent notice near the exhibit area stating that the library does not advocate or endorse the viewpoints of exhibits or exhibitors. Libraries that make bulletin boards available to public groups for posting notices of public interest should develop criteria for the use of these spaces based on the same considerations as those outlined above. Libraries may wish to develop criteria regarding the size of material to be displayed, the length of time materials may remain on the bulletin board, the frequency with which material may be posted for the same group, and the geographic area from which notices will be accepted.

Adopted July 2, 1991, by the ALA Council; amended June 30, 2004. [ISBN 8389-7551-8]

KDL POLICY APPENDIX VIII

EXPURGATION OF LIBRARY MATERIALS

An Interpretation of the Library Bill of Rights

Expurgating library materials is a violation of the *Library Bill of Rights*. Expurgation as defined by this interpretation includes any deletion, excision, alteration, editing, or obliteration of any part(s) of books or other library resources by the library, its agent, or its parent institution (if any). By such expurgation, the library is in effect denying access to the complete work and the entire spectrum of ideas that the work intended to express. Such action stands in violation of Articles I, II, and III of the *Library Bill of Rights*, which state that "Materials should not be excluded because of the origin, background, or views of those contributing to their creation," that "Materials should not be proscribed or removed because of partisan or doctrinal disapproval," and that "Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment."

The act of expurgation has serious implications. It involves a determination that it is necessary to restrict access to the complete work. This is censorship. When a work is expurgated, under the assumption that certain portions of that work would be harmful to minors, the situation is no less serious.

Expurgation of any books or other library resources imposes a restriction, without regard to the rights and desires of all library users, by limiting access to ideas and information. (See also other Interpretations to the Library Bill of Rights, including Access to Digital Information, Services, and Networks and Free Access to Libraries for Minors.)

Further, expurgation without written permission from the holder of the copyright on the material may violate the copyright provisions of the United States Code.

Adopted February 2, 1973, by the ALA Council; amended July 1, 1981; January 10, 1990.
[ISBN 8389-5419-7]

KDL POLICY APPENDIX IX

LABELS AND RATING SYSTEMS

An Interpretation of the Library Bill of Rights

Libraries do not advocate the ideas found in their collections or in resources accessible through the library. The presence of books and other resources in a library does not indicate endorsement of their contents by the library. Likewise, the ability for library users to access electronic information using library computers does not indicate endorsement or approval of that information by the library.

Labels

Labels on library materials may be viewpoint-neutral directional aids that save the time of users, or they may be attempts to prejudice or discourage users or restrict their access to materials. When labeling is an attempt to prejudice attitudes, it is a censor's tool. The American Library Association opposes labeling as a means of predisposing people's attitudes toward library materials.

Prejudicial labels are designed to restrict access, based on a value judgment that the content, language or themes of the material, or the background or views of the creator(s) of the material, render it inappropriate or offensive for all or certain groups of users. The prejudicial label is used to warn, discourage or prohibit users or certain groups of users from accessing the material. Such labels may be used to remove materials from open shelves to restricted locations where access depends on staff intervention.

Viewpoint-neutral directional aids facilitate access by making it easier for users to locate materials. The materials are housed on open shelves and are equally accessible to all users, who may choose to consult or ignore the directional aids at their own discretion.
Directional aids can have the effect of prejudicial labels when their implementation becomes proscriptive rather than descriptive. When directional aids are used to forbid access or to suggest moral or doctrinal endorsement, the effect is the same as prejudicial labeling.

Rating Systems

A variety of organizations promulgate rating systems as a means of advising either their members or the general public concerning their opinions of the contents and suitability or appropriate age for use of certain books, films, recordings, Web sites, or other materials. The adoption, enforcement, or endorsement of any of these rating systems by the library violates the *Library Bill of Rights*. Adopting such systems into law may be unconstitutional. If such legislation is passed, the library should seek legal advice regarding the law's applicability to library operations.

Publishers, industry groups, and distributors sometimes add ratings to material or include them as part of their packaging. Librarians should not endorse such practices. However, removing or destroying such ratings—if placed there by, or with permission of, the copyright holder—could constitute expurgation

(see Expurgation of Library Materials: An Interpretation of the Library Bill of Rights).

Some find it easy and even proper, according to their ethics, to establish criteria for judging materials as objectionable. However, injustice and ignorance, rather than justice and enlightenment, result from such practices. The American Library Association opposes any efforts that result in closing any path to knowledge.

Adopted July 13, 1951, by the ALA Council; amended June 25, 1971; July 1, 1981; June 26, 1990; January 19, 2005. [ISBN 8389-5226-7]

KDL POLICY APPENDIX X

UNIVERSAL RIGHT TO FREE EXPRESSION

An Interpretation of the Library Bill of Rights

Freedom of expression is an inalienable human right and the foundation for self- government. Freedom of expression encompasses the freedoms of speech, press, religion, assembly, and association, and the corollary right to receive information.

The American Library Association endorses this principle, which is also set forth in the Universal Declaration of Human Rights, adopted by the United Nations General Assembly. The Preamble of this document states that ". . . recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice, and peace in the world. . ." and ". . . the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people. . ."

Article 18 of this document states:
"Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance."

Article 19 states:
"Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media regardless of frontiers."

Article 20 states:

1. Everyone has the right to freedom of peaceful assembly and association.
2. No one may be compelled to belong to an association.

We affirm our belief that these are inalienable rights of every person, regardless of origin, age, background, or views. We embody our professional commitment to these principles in the *Library Bill of Rights* and Code of Ethics, as adopted by the American Library Association.

We maintain that these are universal principles and should be applied by libraries and librarians throughout the world. The American Library Association's policy on International Relations reflects these objectives:

". . . to encourage the exchange, dissemination, and access to information and the unrestricted flow of library materials in all formats throughout the world." We know that censorship, ignorance, and limitations on the free flow of information are the tools of tyranny and oppression. We believe that

ideas and information topple the walls of hate and fear and build bridges of cooperation and understanding far more effectively than weapons and armies.

The American Library Association is unswerving in its commitment to human rights and intellectual freedom; the two are inseparably linked and inextricably entwined. Freedom of opinion and expression is not derived from or dependent on any form of government or political power. This right is inherent in every individual. It cannot be surrendered, nor can it be denied. True justice comes from the exercise of this right.

We recognize the power of information and ideas to inspire justice, to restore freedom and dignity to the oppressed, and to change the hearts and minds of the oppressors.

Courageous men and women, in difficult and dangerous circumstances throughout human history, have demonstrated that freedom lives in the human heart and cries out for justice even in the face of threats, enslavement, imprisonment, torture, exile, and death. We draw inspiration from their example. They challenge us to remain steadfast in our most basic professional responsibility to promote and defend the right of free expression.

There is no good censorship. Any effort to restrict free expression and the free flow of information aids the oppressor. Fighting oppression with censorship is self- defeating.
Threats to the freedom of expression of any person anywhere are threats to the freedom of all people everywhere. Violations of human rights and the right of free expression have been recorded in virtually every country and society across the globe.

In response to these violations, we affirm these principles:

- The American Library Association opposes any use of governmental prerogative that leads to the intimidation of individuals that prevents them from exercising their rights to hold opinions without interference, and to seek, receive, and impart information and ideas. We urge libraries and librarians everywhere to resist such abuse of governmental power, and to support those against whom such governmental power has been employed.

- The American Library Association condemns any governmental effort to involve libraries and librarians in restrictions on the right of any individual to hold opinions without interference, and to seek, receive, and impart information and ideas. Such restrictions pervert the function of the library and violate the professional responsibilities of librarians.

- The American Library Association rejects censorship in any form. Any action that denies the inalienable human rights of individuals only damages the will to resist oppression, strengthens the hand of the oppressor, and undermines the cause of justice.

- The American Library Association will not abrogate these principles. We believe that censorship corrupts the cause of justice, and contributes to the demise of freedom.

Adopted January 16, 1991, by the ALA Council. [ISBN 0-8389-7494-5]

KDL POLICY APPENDIX XI

LIBRARY INITIATED PROGRAMS AS A RESOURCE

An Interpretation of the Library Bill of Rights

Library-initiated programs support the mission of the library by providing users with additional opportunities for information, education, and recreation. Article I of the *Library Bill of Rights* states: "Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves."

Library-initiated programs take advantage of library staff expertise, collections, services and facilities to increase access to information and information resources. Library-initiated programs introduce users and potential users to the resources of the library and to the library's primary function as a facilitator of information access. The library may participate in cooperative or joint programs with other agencies, organizations, institutions, or individuals as part of its own effort to address information needs and to facilitate information access in the community the library serves.

Library-initiated programs on site and in other locations include, but are not limited to, speeches, community forums, discussion groups, demonstrations, displays, and live or media presentations.

Libraries serving multilingual or multicultural communities should make efforts to accommodate the information needs of those for whom English is a second language. Library-initiated programs that cross language and cultural barriers introduce otherwise underserved populations to the resources of the library and provide access to information.

Library-initiated programs "should not be proscribed or removed [or canceled] because of partisan or doctrinal disapproval" of the contents of the program or the views expressed by the participants, as stated in Article II of the *Library Bill of Rights*. Library sponsorship of a program does not constitute an endorsement of the content of the program or the views expressed by the participants, any more than the purchase of material for the library collection constitutes an endorsement of the contents of the material or the views of its creator.

Library-initiated programs are a library resource, and, as such, are developed in accordance with written guidelines, as approved and adopted by the library's policy- making body. These guidelines should include an endorsement of the *Library Bill of Rights* and set forth the library's commitment to free and open access to information and ideas for all users.

Library staff select topics, speakers and resource materials for library-initiated programs based on the interests and information needs of the community. Topics, speakers and resource materials are not excluded from library-initiated programs because of possible controversy. Concerns, questions or complaints about library- initiated programs are handled according to the same written policy and

procedures that govern reconsiderations of other library resources.

Library-initiated programs are offered free of charge and are open to all. Article V of the *Library Bill of Rights* states: "A person's right to use a library should not be denied or abridged because of origin, age, background, or views."

The "right to use a library" encompasses all the resources the library offers, including the right to attend library-initiated programs. Libraries do not deny or abridge access to library resources, including library-initiated programs, based on an individual's economic background or ability to pay.

Adopted January 27, 1982, by the ALA Council; amended June 26, 1990; July 12, 2000. [ISBN 8389-6528-8]

KDL POLICY APPENDIX XII

ECONOMIC BARRIERS TO INFORMATION ACCESS

An Interpretation of the Library Bill of Rights

A democracy presupposes an informed citizenry. The First Amendment mandates the right of all persons to free expression, and the corollary right to receive the constitutionally protected expression of others. The publicly supported library provides free, equal, and equitable access to information for all people of the community the library serves. While the roles, goals and objectives of publicly supported libraries may differ, they share this common mission.

The library's essential mission must remain the first consideration for librarians and governing bodies faced with economic pressures and competition for funding.

In support of this mission, the American Library Association has enumerated certain principles of library services in the *Library Bill of Rights*.

Principles Governing Fines, Fees, and User Charges

Article I of the *Library Bill of Rights* states:
Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves.

Article V of the *Library Bill of Rights* states:
A person's right to use a library should not be denied or abridged because of origin, age, background, or views.

The American Library Association opposes the charging of user fees for the provision of information by all libraries and information services that receive their major support from public funds. All information resources that are provided directly or indirectly by the library, regardless of technology, format, or methods of delivery, should be readily, equally and equitably accessible to all library users.

Libraries that adhere to these principles systematically monitor their programs of service for potential barriers to access and strive to eliminate such barriers when they occur. All library policies and procedures, particularly those involving fines, fees, or other user charges, should be scrutinized for potential barriers to access. All services should be designed and implemented with care, so as not to infringe on or interfere with the provision or delivery of information and resources for all users. Services should be reevaluated regularly to ensure that the library's basic mission remains uncompromised.

Librarians and governing bodies should look for alternative models and methods of library administration that minimize distinctions among users based on their economic status or financial

condition. They should resist the temptation to impose user fees to alleviate financial pressures, at long-term cost to institutional integrity and public confidence in libraries.

Library services that involve the provision of information, regardless of format, technology, or method of delivery, should be made available to all library users on an equal and equitable basis. Charging fees for the use of library collections, services, programs, or facilities that were purchased with public funds raises barriers to access. Such fees effectively abridge or deny access for some members of the community because they reinforce distinctions among users based on their ability and willingness to pay.

Principles Governing Conditions of Funding

Article II of the *Library Bill of Rights* states:
Materials should not be proscribed or removed because of partisan or doctrinal disapproval.

Article III of the *Library Bill of Rights* states:
Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.

Article IV of the *Library Bill of Rights* states:
Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.

The American Library Association opposes any legislative or regulatory attempt to impose content restrictions on library resources, or to limit user access to information, as a condition of funding for publicly supported libraries and information services.

The First Amendment guarantee of freedom of expression is violated when the right to receive that expression is subject to arbitrary restrictions based on content.

Librarians and governing bodies should examine carefully any terms or conditions attached to library funding and should oppose attempts to limit through such conditions full and equal access to information because of content. This principle applies equally to private gifts or bequests and to public funds. In particular, librarians and governing bodies have an obligation to reject such restrictions when the effect of the restriction is to limit equal and equitable access to information. Librarians and governing bodies should cooperate with all efforts to create a community consensus that publicly supported libraries require funding unfettered by restrictions. Such a consensus supports the library mission to provide the free and unrestricted exchange of information and ideas necessary to a functioning democracy.

The Association's historic position in this regard is stated clearly in a number of Association policies: 50.4 "Free Access to Information," 50.8 "Financing of Libraries," 51.2 "Equal Access to Library Service,"

51.3 “Intellectual Freedom,” 53 “Intellectual Freedom Policies,” 59.1 “Policy Objectives,” and 60 “Library Services for the Poor.”

Adopted June 30, 1993, by the ALA Council. [ISBN 8389-7702-2]

KDL POLICY APPENDIX XIII

ACCESS TO LIBRARY RESOURCES + SERVICES REGARDLESS OF SEX, GENDER IDENTITY, OR SEXUAL ORIENTATION

An Interpretation of the Library Bill of Rights

American libraries exist and function within the context of a body of laws derived from the United States Constitution and the First Amendment. The Library Bill of Rights embodies the basic policies that guide libraries in the provision of services, materials, and programs.

In the preamble to its Library Bill of Rights, the American Library Association affirms that all [emphasis added] libraries are forums for information and ideas. This concept of forum and its accompanying principle of inclusiveness pervade all six Articles of the Library Bill of Rights.

The American Library Association stringently and unequivocally maintains that libraries and librarians have an obligation to resist efforts that systematically exclude materials dealing with any subject matter, including sex, gender identity, or sexual orientation:

- Article I of the Library Bill of Rights states that "Materials should not be excluded because of the origin, background, or views of those contributing to their creation." The Association affirms that books and other materials coming from gay, lesbian, bisexual, and/or transgendered presses, gay, lesbian, bisexual and/or transgendered authors or other creators, and materials regardless of format or services dealing with gay, lesbian, bisexual and/or transgendered life are protected by the Library Bill of Rights. Librarians are obligated by the Library Bill of Rights to endeavor to select materials without regard to the sex, gender identity, or sexual orientation of their creators by using the criteria identified in their written, approved selection policies (ALA policy 53.1.5).

- Article II maintains that "Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval." Library services, materials, and programs representing diverse points of view on sex, gender identity, or sexual orientation should be considered for purchase and inclusion in library collections and programs. (ALA policies 53.1.1, 53.1.9, and 53.1.11). The Association affirms that attempts to proscribe or remove materials dealing with gay, lesbian, bisexual, and/or transgendered life without regard to the written, approved selection policy violate this tenet and constitute censorship.

- Articles III and IV mandate that libraries "challenge censorship" and cooperate with those "resisting abridgement of free expression and free access to ideas."

- Article V holds that "A person's right to use a library should not be denied or abridged because of origin, age, background or views." In the Library Bill of Rights and all its Interpretations, it is intended that: "origin" encompasses all the characteristics of individuals that are inherent in the circumstances of their birth; "age" encompasses all the characteristics of individuals that are inherent in their levels of development and maturity; "background" encompasses all the characteristics of individuals that are a result of their life experiences; and "views" encompasses all the opinions and beliefs held and expressed by individuals. Therefore, Article V of the Library Bill of Rights mandates that library services, materials, and programs be available to all members of the community the library serves, without regard to sex, gender identity, or sexual orientation. This includes providing youth with comprehensive sex education literature (ALA Policy 52.5.2).

- Article VI maintains that "Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use." This protection extends to all groups and members of the community the library serves, without regard to sex, gender identity, or sexual orientation.

- The American Library Association holds that any attempt, be it legal or extra-legal, to regulate or suppress library services, materials, or programs must be resisted in order that protected expression is not abridged. Librarians have a professional obligation to ensure that all library users have free and equal access to the entire range of library services, materials, and programs. Therefore, the Association strongly opposes any effort to limit access to information and ideas. The Association also encourages librarians to proactively support the First Amendment rights of all library users, regardless of sex, gender identity, or sexual orientation.

Adopted June 30, 1993, by the ALA Council; amended July 12, 2000, June 30, 2004. [ISBN 8389-7701-4]

KDL POLICY APPENDIX XIV

ACCESS TO ELECTRONIC INFORMATION, SERVICES + NETWORKS

An Interpretation of the Library Bill of Rights

Introduction

Freedom of expression is an inalienable human right and the foundation for self- government. Freedom of expression encompasses the freedom of speech and the corollary right to receive information.1 Libraries and librarians protect and promote these rights by selecting, producing, providing access to, identifying, retrieving, organizing, providing instruction in the use of, and preserving recorded expression regardless of the format or technology.

The American Library Association expresses these basic principles of librarianship in its Code of Ethics and in the *Library Bill of Rights* and its Interpretations. These serve to guide librarians and library governing bodies in addressing issues of intellectual freedom that arise when the library provides access to electronic information, services, and networks.

Libraries empower users by providing access to the broadest range of information. Electronic resources, including information available via the Internet, allow libraries to fulfill this responsibility better than ever before.

Issues arising from digital generation, distribution, and retrieval of information need to be approached and regularly reviewed from a context of constitutional principles and ALA policies so that fundamental and traditional tenets of librarianship are not swept away.
Electronic information flows across boundaries and barriers despite attempts by individuals, governments, and private entities to channel or control it. Even so, many people lack access or capability to use electronic information effectively.

In making decisions about how to offer access to electronic information, each library should consider its mission, goals, objectives, cooperative agreements, and the needs of the entire community it serves.

The Rights of Users

All library system and network policies, procedures, or regulations relating to electronic information and services should be scrutinized for potential violation of user rights.
User policies should be developed according to the policies and guidelines established by the American Library Association, including Guidelines for the Development and Implementation of Policies, Regulations and Procedures Affecting Access to Library Materials, Services and Facilities.

Users' access should not be restricted or denied for expressing or receiving constitutionally protected speech. If access is restricted or denied for behavioral or other reasons, users should be provided due

process, including, but not limited to, formal notice and a means of appeal.

Information retrieved or utilized electronically is constitutionally protected unless determined otherwise by a court of law with appropriate jurisdiction. These rights extend to minors as well as adults (Free Access to Libraries for Minors; Access to Resources and Services in the School Library; Access for Children and Young Adults to Nonprint Materials).

Libraries should use technology to enhance, not deny, access to information. Users have the right to be free of unreasonable limitations or conditions set by libraries, librarians, system administrators, vendors, network service providers, or others. Contracts, agreements, and licenses entered into by libraries on behalf of their users should not violate this right. Libraries should provide library users the training and assistance necessary to find, evaluate, and use information effectively.

Users have both the right of confidentiality and the right of privacy. The library should uphold these rights by policy, procedure, and practice in accordance with Privacy: An Interpretation of the Library Bill of Rights.

Equity of Access

The Internet provides expanding opportunities for everyone to participate in the information society, but too many individuals face serious barriers to access. Libraries play a critical role in bridging information access gaps for these individuals. Libraries also ensure that the public can find content of interest and learn the necessary skills to use information successfully.

Electronic information, services, and networks provided directly or indirectly by the library should be equally, readily and equitably accessible to all library users. American Library Association policies oppose the charging of user fees for the provision of information services by libraries that receive their major support from public funds (50.3 Free Access to Information; Economic Barriers to Information Access; 60.1.1 Minority Concerns Policy Objectives; B.8.10 Library Services to the Poor). All libraries should develop policies concerning access to electronic information that are consistent with ALA's policy statements, including Economic Barriers to Information Access: An Interpretation of the Library Bill of Rights, Guidelines for the Development and Implementation of Policies, Regulations and Procedures Affecting Access to Library Materials, Services and Facilities, and Resolution on Access to the Use of Libraries and Information by Individuals with Physical or Mental Impairment.

Information Resources and Access

Providing connections to global information, services, and networks is not the same as selecting and purchasing materials for a library collection. Determining the accuracy or authenticity of electronic information may present special problems. Some information accessed electronically may not meet a library's selection or collection development policy. It is, therefore, left to each user to determine what is appropriate. Parents and legal guardians who are concerned about their children's use of

electronic resources should provide guidance to their own children.

Libraries, acting within their mission and objectives, must support access to information on all subjects that serve the needs or interests of each user, regardless of the user's age or the content of the material. In order to preserve the cultural record and to prevent the loss of information, libraries may need to expand their selection or collection development policies to ensure preservation, in appropriate formats, of information obtained electronically. Libraries have an obligation to provide access to government information available in electronic format.

Libraries and librarians should not deny or limit access to electronic information because of its allegedly controversial content or because of the librarian's personal beliefs or fear of confrontation. Furthermore, libraries and librarians should not deny access to electronic information solely on the grounds that it is perceived to lack value.

Publicly funded libraries have a legal obligation to provide access to constitutionally protected information. Federal, state, county, municipal, local, or library governing bodies sometimes require the use of Internet filters or other technological measures that block access to constitutionally protected information, contrary to the *Library Bill of Rights* (ALA Policy Manual, B.2.1.18 Use of Filtering Software in Libraries). If a library uses a technological measure that blocks access to information, it should be set at the least restrictive level in order to minimize the blocking of constitutionally protected speech. Adults retain the right to access all constitutionally protected information and to ask for the technological measure to be disabled in a timely manner. Minors also retain the right to access constitutionally protected information and, at the minimum, have the right to ask the library or librarian to provide access to erroneously blocked information in a timely manner. Libraries and librarians have an obligation to inform users of these rights and to provide the means to exercise these rights.[3]

Electronic resources provide unprecedented opportunities to expand the scope of information available to users. Libraries and librarians should provide access to information presenting all points of view. The provision of access does not imply sponsorship or endorsement. These principles pertain to electronic resources no less than they do to the more traditional sources of information in libraries (Diversity in Collection Development).

1) Martin v. Struthers, 319 U.S. 141 (1943); Lamont v. Postmaster General, 381 U.S. 301 (1965); Susan Nevelow Mart, The Right to Receive Information (PDF), 95 Law Library Journal 2 (2003).

2) Tinker v. Des Moines Independent Community School District, 393 U.S. 503 (1969); Board of Education, Island Trees Union Free School District No. 26 v. Pico, 457 U.S. 853, (1982); American Amusement Machine Association v. Teri Kendrick, 244 F.3d 954 (7th Cir. 2001); cert. denied, 534 U.S. 994 (2001).

3) "If some libraries do not have the capacity to unblock specific Web sites or to disable the filter or if it is shown that an adult user's election to view constitutionally protected Internet material is burdened in some other substantial way, that would be the subject for an as- applied challenge, not the facial challenge made in this case." United States, et al. v. American Library Association, 539 U.S. 194 (2003) (Justice Kennedy, concurring). See Also: Questions and Answers on Access to Electronic Information, Services and Networks: an Interpretation of the Library Bill of Rights.

Adopted January 24, 1996, by the ALA Council; amended January 19, 2005. [ISBN 8389-7830-4]

KDL POLICY APPENDIX XV

THE LIBRARY PRIVACY ACT

ACT 455 of 1982

AN ACT to provide for the confidentiality of certain library records; and to provide for the selection and use of library materials.

History: 1982, Act 455, Eff. Mar. 30, 1983

The People of the State of Michigan enact:
Short title.
Sec. 1.
This act shall be known and may be cited as "the library privacy act."
History: 1982, Act 455, Eff. Mar. 30, 1983

Definition.
Sec. 2
As used in this act:

A. "Computer" means any connected, directly interoperable, or interactive device, equipment or facility that uses a computer program or other instructions to perform specific operations including logical, arithmetic, or memory functions with or on computer data or a computer program, and that can store, retrieve, alter, or communicate the results of the operations, to a person, computer program, computer, computer system, or computer network.

B. "Computer network" means the interconnection of hardware or wireless communication lines with a computer through remote terminals, or a complex consisting of 2 or more interconnected computers.

C. "Computer program" means a series of internal or external instructions communicated in a form acceptable to a computer that directs the functioning of a computer, computer system, or computer network in a manner designed to provide or produce products or results from the computer, computer system, or computer network.

D. "Computer system" means a set of related, connected or unconnected, computer equipment, devices, software, or hardware.

E. "Device" includes, but is not limited to, an electronic, magnetic, electrochemical, biochemical, hydraulic, optical, or organic object that performs input, output, or storage functions by the manipulation of electronic, magnetic, or other impulses.

F. “Harmful to minors” means that term as it is defined in section 4 of 1978 PA 33, MCL 722.674.

G. “Internet” means that term as defined in section 230 of title II of the communications act of 1934, chapter 652, 110 Stat. 137, 47 U.S.C. 230.

H. “Library” includes a library that is established by the state; a county, city, township, village, school district, or other local unit of government or authority or combination of local units of governments and authorities; a community college district; a college or university; or any private library open to the public.

I. “Library record” 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.

J. “Minor” means an individual who is less than 18 years of age.

K. “Obscene” means that term as it is defined in section 2 of 1984 PA 343, MCL 752.362.

L. “Sexually explicit matter” means that term as it is defined in section 3 of 1978 PA 33, MCL 722. 673.

M. “Terminal” means a device used to access the internet or a computer, computer program, computer network, or computer system.

History: 1982, Act 455, Eff. Mar. 30, 1983; —Am. 1998, Act 7, Imd. Eff. Feb. 6, 1998; —Am. 1999, Act 37, Eff. Aug. 1, 1999

Library record not subject to disclosure requirements; release or disclosure of library record without consent prohibited; exception; procedure and form of written consent; hearing.

Sec. 3.

(1) Except as provided in subsection (2), a library record is not subject to the disclosure requirements of the freedom of information act, Act No. 442 of the Public Acts of 1976, being sections 15.231 to 15.246 of the Michigan Compiled Laws.

(2) Unless ordered by a court after giving the affected library notice of the request and an opportunity to be heard on the request, a library or an employee or agent of a library shall not release or disclose a library record or portion of a library record to a person without the written consent of the person

liable for payment for or return of the materials identified in that library record.

(3) The procedure and form of written consent described in subsection (2) may be determined by the library.

(4) A library may appear and be represented by counsel at a hearing described in subsection (2).

History: 1982, Act 455, Eff. Mar. 30, 1983; —Am. 1996, Act 188, Imd. Eff. May 8, 1996

Violation of § 397.603; liability; civil action; damages; attorney fees and costs.

Sec. 4.

A library or an agent or employee of a library which violates section 3 shall be liable to the person identified in a record that is improperly released or disclosed. The person identified may bring a civil action for actual damages or $250.00, whichever is greater; reasonable attorney fees; and the costs of bringing the action.

History: 1982, Act 455, Eff. Mar. 30, 1983

Sec. 5

(1) Except as otherwise provided by statute or by a regulation adopted by the governing body of the library, the selection of library materials for inclusion in a library's collection shall be determined only by an employee of the library.

(2) Except as otherwise provided by law or by a regulation adopted by the governing body of the library, the use of library materials shall be determined only by an employee of the library.

History: 1982, Act 455, Eff. Mar. 30, 1983

Restriction of internet access to minors; immunity from liability; exceptions.

Sec. 6.

(1) If a library offers use of the internet or a computer, computer program, computer network, or computer system to the public, the governing body of that library shall adopt and require enforcement of a policy that restricts access to minors by providing the use of the internet or a computer, computer program, computer network, or computer system in 1 of the following ways:

(a) Both of the following:

(i) By making available, to individuals of any age, 1 or more terminals that are restricted from receiving obscene matter or sexually explicit matter that is harmful to minors.

(ii) By reserving, to individuals 18 years of age or older or minors who are accompanied by their parent or guardian, 1 or more terminals that are not restricted from receiving any materials.

(b) By utilizing a system or method that is designed to prevent a minor from viewing obscene matter or sexually explicit matter that is harmful to minors.

(2) A governing body of a library, member of a governing body of a library, library, or an agent or employee of a governing body of a library of library, is immune from liability in a civil action as provided in section 7 of the revised judicature act of 1961, 1961 PA 236, MCL 691.1407.

(3) This section does not apply to a library established by a community college district, a college or university, or a private library open to the public.

History: Add. 1999, Act 37, Eff. Aug. 1, 1999; —Am. 2000, Act 212, Eff. Oct. 1, 2000

KDL POLICY APPENDIX XVI

CONTRACTS OF PUBLIC SERVANTS WITH PUBLIC ENTITIES

EXCERPT: ACT 317 OF 1968

Act 317 of 1968 relates to the conduct of public servants in respect to governmental decisions and contracts with public entities; to provide penalties for the violation of this act; to repeal certain acts and parts of acts; and to validate certain contracts.

15.321 Public servants, contracts with public entities; definitions.
As used in this act.
Sec. 1

(a) "Public servant" includes all persons serving any public entity, except members of the legislature and state officers who are within the provisions of section 10 of article 4 of the state constitution as implemented by legislative act.

(b) "Public entity" means the state including all agencies thereof, any public body corporate within the state, including all agencies thereof, or any non- incorporated public body within the state of whatever nature, including all agencies thereof.

15.322 Public servant, soliciting, negotiating, renegotiating, approving, or representing a party to a contract with public entity prohibited.
Sec. 2

(1) Except as provided in sections 3 and 3a, a public servant shall not be a party, directly or indirectly, to any contract between himself or herself and the public entity of which he or she is an officer or employee.

(2) Except as provided in section 3, a public servant shall not directly or indirectly solicit any contract between the public entity of which he or she is an officer or employee and any of the following:

(a) Him or herself.

(b) Any firm, meaning a co-partnership or other unincorporated association, of which he or she is a partner, member, or employee.

(c) Any private corporation in which he or she is a stockholder owning more than 1% of the total outstanding stock of any class if the stock is not listed on a stock exchange, or stock with a present total market value in excess of $25,000.00 if the

stock is listed on a stock exchange or of which he or she is a director, officer, or employee.

(d) Any trust of which he or she is a beneficiary or trustee.

(3) In regard to a contract described in subsection (2), a public servant shall not do either of the following:

(4) Take any part in the negotiations for such a contract or the renegotiation or amendment of the contract, or in the approval of the contract.

(a) Represent either party in the transaction.

15.323 Applicability of MCL to public servants; requirements of contract; making or participating in governmental decision; counting members for purposes of quorum; voting; affidavit; "government decision" defined.

Sec. 3.

(1) Section 2 does not apply to either of the following:

(a) A public servant who is paid for working an average of 25 hours per week or less for a public entity.

(b) A public servant who is an employee of a public community college, junior college, or state college or university.

(2) A contract as defined in and limited by section 2 involving a public entity and a public servant described in subsection (1) shall meet all of the following requirements:

(a) The public servant promptly discloses any pecuniary interest in the contract to the official body that has power to approve the contract, which disclosure shall be made a matter of record in its official proceedings. Unless the public servant making the disclosure will directly benefit from the contract in an amount less than $250.00 and less than 5% of the public cost of the contract and the public servant files a sworn affidavit to that effect with the official body or the contract is for emergency repairs or services, the disclosure shall be made in either of the following manners:

(i) The public servant promptly discloses in writing to the presiding officer, or if the presiding officer is the public servant who is a party to the contract, to the clerk, the pecuniary interest in the contract at least 7 days prior to the meeting at which a vote will be taken. The disclosure shall be made public in the same

manner as a publicmeetingnotice.

(ii) The public servant discloses the pecuniary interest at a public meeting of the official body. The vote shall be taken at a meeting of the official body held at least 7 days after the meeting at which the disclosure is made. If the amount of the direct benefit to the public servant is more than $5,000.00, disclosure must be made as provided underthissubparagraph.

(b) The contract is approved by a vote of not less than 2/3 of the full membership of the approving body in open session without the vote of thepublic servantmaking thedisclosure.

(c) The official body discloses the following summary information in its official minutes:

(i) Thenameofeachpartyinvolvedinthecontract.

(ii) The terms of the contract, including duration, financial considerationbetween parties, facilities or services of the public entity included in the contract, and the nature and degree of assignment of employees of the public entity for fulfillment of thecontract.

(iii) Thenatureofanypecuniaryinterest.

(3) This section and section 2 do not prevent a public servant from making or participating in making a governmental decision to the extent that the public servant's participation is required by law. If 2/3 of the members are not eligible under this act to vote on a contract or to constitute a quorum, a member may be counted for purposes of a quorum and may vote on the contract if the member will directly benefit from the contract in an amount less than $250.00 and less than 5% of the public cost of the contract and the member files a sworn affidavit to that effect with the official body. The affidavit shall be made a part of the public record of the official proceedings. As used in this subsection, “governmental decision” means a determination, action, vote, or disposition upon a motion, proposal, recommendation, resolution, ordinance, order, or measure on which a vote by members of a local legislative or governing body of a public entity is required and by which a public body effectuates or formulates public policy.

15.323 Construction of MCL 15.322.
Sec. 3a.

Section 2 shall not be construed to do any of the following:

(a) Prohibit public servants of a city, village, township, or county with a population of less than 25,000 from serving, with or without compensation, as emergency medical services personnel as defined in section 20904 of the public health code, Act No. 368 of the Public Acts of 1978, being section 333.20904 of the Michigan Compiled Laws.

(b) Prohibit public servants of a city, village, township, or county with a population of less than 25,000 from serving, with or without compensation, as a firefighter in that city, village, township, or county if that firefighter is not any of the following:

(i) A full-time firefighter.

(ii) A fire chief.

(iii) A person who negotiates with the city, village, township, or county on behalf of the firefighters.

(c) Limit the authority of the governing body of a city, village, township, or county with a population of less than 25,000 to authorize a public servant to perform, with or without compensation, other additional services for the unit of local government.

(d) Prohibit public servants of this state from purchasing at a tax sale lands returned as delinquent for taxes under the general property tax act, Act No. 206 of the Public Acts of 1893, being sections 211.1 to 211.157 of the Michigan Compiled Laws, unless otherwise prohibited by the rules of the Michigan civil service commission or the department or agency of which that public servant is an employee.

15.324 Public servants; contracts excepted; violation as felony.
Sec. 4.

(1) The prohibitions of section 2 shall not apply to any of the following:

(a) Contracts between public entities.

(b) Contracts awarded to the lowest qualified bidder, other than a public servant, upon receipt of sealed bids pursuant to a published notice. Except as authorized by law, the notice shall not bar any qualified person, firm, corporation, or trust from bidding.

This subsection shall not apply to amendments or renegotiations of a contract nor to additional payments made under a contract which were not authorized by the contract at the time of award.

(c) Contracts for public utility services where the rates are regulated by the state or federal government.

(d) Contracts to purchase residential property. A public servant of a city or village may purchase 1 to 4 parcels not less than 18 months between each purchase. This subdivision does not apply to public servants of a city or village who have been appointed or elected to their position or whose employment responsibilities include the purchase or selling of property for the city or village. This subdivision shall apply only to a city or village that has adopted an ethics ordinance which was in effect at the time the residential property was purchased.

(2) A person that violates subsection (1)(d) is guilty of a felony punishable by imprisonment for not more than 1 year or a fine of not less than $1,000.00 or more than 3 times the value of the property purchased.

15.325 Public servants, voidability of contracts; procedure, knowledge, limitation, reimbursement, settlements, evidences of indebtedness.
Sec. 5.

(1) This act is aimed to prevent public servants from engaging in certain activities and is not intended to penalize innocent persons. Therefore, no contract shall be absolutely void by reason of this act. Contracts involving prohibited activities on the part of public servants shall be voidable only by decree of a court of proper jurisdiction in an action by the public entity, which is a party thereto, as to any person, firm, corporation or trust that entered into the contract or took any assignment thereof, with actual knowledge of the prohibited activity. In the case of the corporation, the actual knowledge must be that of a person or body finally approving the contract for the corporation. All actions to avoid any contract hereunder shall be brought within 1 year after discovery of circumstances suggesting a violation of this act. In order to meet the ends of justice any such decree shall provide for the reimbursement of any person, firm, corporation or trust for the reasonable value of all moneys, goods, materials, labor or services furnished under the contract, to the extent that the public entity has benefited thereby. This provision shall not prohibit the parties from arriving at an amicable settlement.

(2) Negotiable and nonnegotiable bonds, notes or evidences of indebtedness, whether heretofore or hereafter issued, in the hands of purchasers for value, shall not be void or voidable by reason of this act or of any previous statute, charter or rule of law.

15.326 Public servants, validity of existing contracts.
Sec. 6.

If any public entity has, prior to the effective date of this act, entered into any contract under which moneys, goods, materials, labor or services have been actually received by the public entity, which was void or voidable under any act, charter or rule of law because of a conflict of interest on the part of a public servant at the time of the execution thereof, such contract shall be fully enforceable notwithstanding such conflict of interest, by any party thereto other than such public servant.

15.327 Penalty for violation.
Sec. 7.

Any person violating the provisions of this act is guilty of a misdemeanor.

15.328 Other laws superseded; local ordinances.
Sec. 8.

It is the intention that this act shall constitute the sole law in this state and shall supersede all other acts in respect to conflicts of interest relative to public contracts, involving public servants other than members of the legislature and state officers, including but not limited to section 30 of 1851 PA 156, MCL 46.30. This act does not prohibit a unit of local government from adopting an ordinance or enforcing an existing ordinance relating to conflict of interest in subjects other than public contracts involving public servants.

15.329 Repeal.
Sec. 9

The following acts and parts of acts are repealed:

Year of act	Public Act	Section	Compiled Law Sections
1895	3	6 of chapter 5	65.6
1895	215	16 of chapter 8	88.16
1931	328	122	750.122
1955	269	969	340.969
1966	317		15.161 to 15.172

15.330 Effective date.
Sec. 10.

This act shall take effect September 1, 1968.

KDL POLICY APPENDIX XVII

WRITTEN PUBLIC SUMMARY OF FOIA PROCEDURES + GUIDELINES

EFFECTIVE JULY 1, 2015

Pursuant to the requirements of the Freedom of Information Act (FOIA), the following is the Written Public Summary of Kent District Library's FOIA Procedures & Guidelines relevant to the general public regarding how to submit written FOIA requests to the Library and explaining how to understand the Library's written responses, deposit requirements, fee calculations, and avenues for challenge and appeal. This Written Public Summary shall be available on the Library's website at www.kdl.org.

1. **Process for Submitting FOIA Requests:**

    - Requests to inspect or obtain copies of public records prepared, owned, used, possessed or retained by the Library must be submitted in writing.
    - A request must sufficiently describe a public record so as to enable the Library to find it.
    - No specific form to submit a written request is required. However, a FOIA Request form for your use and convenience is available on the Library's website at www.kdl.org.
    - Written requests can be made in person by delivery to the Library in person or by mail to the Executive Director at 814 West River Center Dr. NE, Comstock Park, MI 49321.
    - Requests may also be made by facsimile to the Executive Director at the following fax number: (616) 647-3908.
    - A request may also be submitted by e-mail to the Executive Director at lwerner@kdl.org

    Note: If you are serving a sentence of imprisonment in a local, state or federal correctional facility you are not entitled to submit a request for a public record.

2. **The Library's Response to FOIA Requests:**

    - Within 5 business days of receipt of a FOIA request, the Library will issue a response. If a request is received by facsimile or e-mail, the request is deemed to have been received on the following business day. The Library will respond to your request in one of the following ways:

        - Grant the request.
        - Issue a written notice denying the request.

- Grant the request in part and issue a written notice denying in part the request.
- Issue a notice that the Library is extending the time for responding by an additional 10 business days.
- Issue a written notice indicating that the public record requested is available at no charge on the Library's website.

- If the request is granted, or granted in part, the Library will require that payment be made for the allowable fees associated with responding to the request before the public record is made available.

3. Fee Deposit Requirements:

- If the Library has made a good faith calculation that the total estimated fee for processing the request exceeds $50.00, the Library may require that you provide a deposit in the amount of 50% of the total estimated fee. When the Library requests the deposit, it will provide you a non-binding best efforts estimate of how long it will take to process the request following receipt by the Library of your deposit.
- If the Library receives a request from a person who has not paid the Library for copies of public records made in fulfillment of a previously granted written request, the Library may require a deposit of 100% of the estimate processing fee before it begins to search for the public record for any subsequent written request when all of the following conditions exist:
  - The final fee for the prior written request is not more than 105% of the estimated fee;
  - The public records made available contained the information sought in the prior written request and remain in the Library's possession;
  - The public records were made available to the individual, subject to payment, within the time frame estimated by the Library to provide the records;
  - 90 days have passed since the Library notified the individual in writing that the public records were available for pickup or mailing;
  - The individual is unable to show proof of prior payment to the Library; and
  - The Library has calculated an estimated detailed itemization that is the basis for the current written request's increased fee deposit.

- The Library will not require the 100% estimated fee deposit if any of the following apply:

  - The person making the request is able to show proof of prior payment in full to the Library;

- The Library is subsequently paid in full for all applicable prior written requests; or
- 365 days have passed since the person made the request for which full payment was not remitted to the Library.

4. Fees for Processing FOIA Requests:

- The FOIA Coordinator will require payment in full for the allowable fees for processing and responding to a FOIA request before the public record is made available.
- FOIA permits the Library to charge and collect a fee for the following six categories of costs associated with responding to a FOIA request:
  - Labor costs directly associated with searching for, locating and examining a requested public record.
  - Labor costs directly associated with a review of a record to separate and delete information exempt from disclosure from information which is not exempt from disclosure.
  - The actual and most reasonably economical cost of computer discs, computer tapes or other digital or similar media.
  - The actual total incremental cost of duplication or publication, not including labor, of paper copies of public records.
  - Labor costs directly associated with duplication or publication including making paper copies, making digital copies, or transferring digital public records to the requesting person in non-paper physical media or through the Internet or other electronic means.
  - The cost to mail or send a public record to a requestor.

- Labor Costs
  - All labor costs will be estimated and charged in 15 minute increments with all partial time increments rounded down. If the time involved is less than 15 minutes, there will be no labor charge.
  - Labor costs will be charged at the hourly wage of the lowest-paid employee capable of performing the work in the specific instance, regardless of who actually performs the labor.
  - Labor costs may also include a charge to cover or partially cover the cost of fringe benefits up to 50% of the labor charge amount but not to exceed the actual fringe benefit cost.

- Non-paper Physical Media
  - The cost for records provided on non-paper physical media, such as computer

discs, computer tapes or other digital or similar media will be at the actual and most reasonably economical cost for the non- paper media.

- This cost will be charged only if the Library has the technological capability necessary to provide the public record in the non-paper physical media format.

- Paper Copies
  - The cost of paper copies of public records made on standard letter (8½ x 11) or legal (8 ½ x 14) sized paper will not exceed $.10 per sheet of paper. Copies for non-standard sized sheet paper will reflect the actual cost of duplication.
  - The Library will utilize the most economical means available for making copies of public records, including using double-sided printing, if cost saving and available.

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

- A fee will not be charged for the cost of search, examination, review and the deletion and separation of exempt from nonexempt information unless failure to charge a fee would result in unreasonably high costs to the Library because of the nature of the request in the particular instance, and the Library specifically identifies the nature of the unreasonably high costs.
- The FOIA Coordinator may waive or reduce a fee if it is determined that a waiver or reduction of the fee is in the public interest because searching for or furnishing copies of the public record can be considered as primarily benefiting the general public.

5. Eligibility for Fee Reduction:

- The Library will waive the first $20.00 of the processing fee for a request if you submit an affidavit stating that you are:
  - Indigent and receiving specific public assistance; or
  - If not receiving specific public assistance, stating facts demonstrating an inability to pay because of indigency.

- You are not eligible to receive the $20.00 waiver based on indigency if you:
  - Have previously received discounted copies of public records form the

Library twice during the calendar year; or

- Are requesting information on behalf of other persons who are offering or providing payment to you to make the request.

- The Library will waive the first $20.00 of the processing fee for a request if you are a nonprofit organization designated by the State of Michigan to carry out certain activities and your request satisfies certain criteria. (Please see the full Procedures & Guidelines for more information).

6. Appeals-Denials of FOIA Request:

If you believe that all or a portion of a public record has not been disclosed or has been improperly exempted from disclosure, you may file a written appeal of the denial with the Library Board (c/o the Executive Director). The appeal must be in writing, specifically state the word "appeal" and identify the reason or reasons you are seeking a reversal of the denial. The Library Board is not considered to have received the written appeal until the first regularly scheduled Library Board meeting after the submission of the written appeal.

Within 10 business days of receiving the written appeal, the Library Board will respond in writing by:

- Reversing the disclosure denial;
- Upholding the disclosure denial; or
- Reverse the disclosure denial in part and uphold the disclosure denial in part.
- Under unusual circumstances, issue a notice extending for not more than ten (10) business days the period during which the Library Board will respond to the written appeal. The Library Board shall not issue more than one notice of extension for a particular written appeal.

Whether or not you submitted an appeal of a denial to the Library Board, you may file a civil action in Circuit Court to compel the Library's disclosure of public records as provided in Section 10 of the Act.

7. Appeals-Fees:

If you believe that the fee charged by the Library to process your FOIA request exceeds the amount permitted by FOIA, you must first submit a written appeal for a fee reduction to the Library Board (c/o the Executive Director). The appeal must be in writing, specifically state the word "appeal" and identify how the required fee exceeds the amount permitted. The Library Board is not considered to have received a written appeal until the first regularly scheduled meeting of the Library Board following the first regularly scheduled meeting of the Library Board

following submission of the written appeal.

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

- Waiving the fee;
- Reducing the fee and issue a written determination indicating the specific basis that supports the remaining fee;
- Upholding the fee and issue a written determination indicating the specific basis that supports the required fee; or
- Issuing a notice detailing the reason or reasons for extending for not more than 10 business days the period during which the Library Board will respond to the written appeal. The Library Board will not issue more than one notice of extension for a particular written appeal.

Within 45 days after receiving notice of the Library Board's determination of the processing fee appeal or the Library Board's failure to timely act on the written appeal as required by Section 10a(2) of the Act, you may commence a civil action in Circuit Court for a fee reduction. If you file such a civil action, 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.

More Detail and Information:

This is only a summary of the Library's FOIA Procedures & Guidelines and does not necessarily reflect all provisions of the Procedures & Guidelines. For more details and information, complete copies of the FOIA Procedures & Guidelines are available at no charge at the Library and on the Library's website at www.kdl.org.

KDL POLICY APPENDIX XVIII

KENT DISTRICT LIBRARY FREEDOM OF INFORMATION ACT (FOIA) PROCEDURES + GUIDELINES

EFFECTIVE JULY 1, 2015

The following Freedom of Information Act Procedures & Guidelines ("Procedures & Guidelines") are established pursuant to Resolution No. XI. A., adopted by the Library Board of Kent District Library ("Library") on June 18, 2015. In addition, the Library Board shall create, and make publicly available, a written public summary of the specific procedures and guidelines relevant to the general public regarding how to submit written requests to the Library and explaining how to understand the Library's written responses, deposit requirements, fee calculations, and avenues for challenge and appeal. The Library will post the Procedures & Guidelines and the written public summary on the Library's website at www.kdl.org.

SECTION 1 – DEFINITIONS

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

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

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

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

Library: Kent District Library and its boards and committees.

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

Where not otherwise defined, the words and phrases contained in this Procedures & Guidelines shall have

the meaning given to them, if any, by the Act.

SECTION 2 – RIGHT TO RECORDS

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

A person has the right to inspect a public record, or receive copies of a requested public record, unless exempted by law or court order. Upon written request, a person will be provided with a reasonable opportunity to inspect the public records provided by the Library. Inspection of public records shall occur only between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, at the KDL Service Center, 814 West River Center Drive NE, Comstock Park, Michigan unless otherwise agreed by the FOIA Coordinator in his or her sole discretion. Persons with special needs should contact the FOIA Coordinator beforehand to ensure that arrangements for special needs or reasonable facilities are prepared. The Library Board may make reasonable rules necessary to protect its public records and to prevent excessive and unreasonable interference with the discharge of its functions. When inspecting public records, a person shall not write on, alter, deface, or otherwise place any mark on a public record. The Library shall protect public records from loss, removal, unauthorized alteration, mutilation, or destruction. The Library may require the necessary copying of a public record for inspection in certain instances such as to allow for the redaction of exempt information, to protect old or delicate original records, or because the original public record is a digital file or database not available for public inspection. In such instances, the Library may require the requesting person to pay fees for such copying prior to inspection.

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

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

SECTION 3 – RIGHTS AND OBLIGATIONS OF THE LIBRARY

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

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

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

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

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

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

SECTION 4 – FEES AND DEPOSITS

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

The FOIA Coordinator will require that payment be made in full for the allowable fees for processing and responding to a FOIA request before the public record is made available.
The FOIA Coordinator may waive a fee or reduce a fee if it is determined that a waiver or reduction of the fee is in the public interest because searching for or furnishing copies of the public record can be considered as primarily benefiting the general public.

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

1) Labor costs directly associated with searching for, locating and examining a requested public record, as provided in Section 4(1)(a) of the Act;

2) Labor costs directly associated with a review of a record to separate and delete

information exempt from disclosure from information which is not exempt from disclosure, as provided in Section 4(1)(b) of the Act;

3) The actual and most reasonably economical costs of computer discs, computer tapes, or other digital or similar media, as provided in Section 4(1)(c) of the Act;

4) The actual total incremental cost of duplication or publication, not including labor, of paper copies of public records, as provided in Section 4(1)(d) of the Act;

5) The cost of labor directly associated with duplication or publication, including making paper copies, making digital copies, or transferring digital public records to be given to the requesting person on non-paper physical media or through the Internet or other electronic means as stipulated by the requesting person as provided in Section 4(1)(e) of the Act; and

6) The actual cost of mailing for sending a public record in a reasonably economical and justifiable manner as provided in Section 4(1)(f) of the Act.

Labor costs will be calculated based on the following requirements:

- All labor costs will be estimated and charged in 15 minute increments with all partial time increments rounded down. If the time involved is less than 15 minutes, there will be no labor charge.
- Charges for labor costs will be determined by using the hourly wages of the lowest paid public body employee capable of performing the work in the particular instance regardless of who actually performed the labor, as provided in the Act.
- Overtime wages will not be included in labor costs unless agreed to by the requesting person and the overtime wages are clearly noted on the Detailed Cost Itemization (Attachment B).
- Labor costs will include a charge to cover or partially cover the cost of fringe benefits. The Library may add up to 50% to the applicable labor charge amount to cover or partially cover the cost of fringe benefits if it clearly notes the percentage multiplier on the Detailed Cost Itemization (Attachment B) but in no case shall the Library charge more than the actual cost of fringe benefits. If the Library includes the website address for a public record in its written response to the requesting person and the requesting person thereafter requests that the public record be provided to him or her in a paper format or non- paper physical media, the Library shall provide the public records in the specified format but may use a fringe benefit multiplier greater than 50% not to exceed the actual costs of providing the information in the specified format as provided in Section 4(5) of the Act. Overtime costs will not be used to calculate the fringe benefit cost.
- Any public records available to the general public on the Library's website at the time a request is made are exempt from charges for labor costs for separating and deleting of

exempt information.

- The Library shall not charge for labor directly associated with redaction under Section 14 of the Act if the Library knows or has reason to know that it previously redacted the public record in question and the redacted version is still in the Library's possession.

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

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

The cost to provide records on non-paper physical media when stipulated by the requesting person will be based on the following requirements:

- Computer discs, computer tapes or other digital or similar media will be at actual and most reasonably economical cost for the non-paper media.
- The requirement to provide records on non-paper physical media will not apply if the Library lacks the technological capability necessary to provide the public record on the non-paper physical media stipulated in the particular instance.
- In order to ensure the integrity and security of the Library's technological infrastructure, the Library will procure any requested non-paper media and will not accept non-paper media from the requesting person.

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

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

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

- Volume of public records requested;

- The time frame for the public records requested;
- Complexity of searching for, examining, reviewing a public record, and the deletion and separation of exempt from non-exempt information;
- The need to search for, examine, and review public records from different departments or offices of the Library;
- The anticipated hours of labor;
- The available staffing for responding to the request;
- The extent to which the particular request incurs costs greater than the costs incurred for the typical or usual request received by the Library.
- Any other similar factors designated as applicable by the FOIA Coordinator.

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

- An individual who submits an affidavit stating that the person is indigent and receiving specific public assistance or, if not receiving specific public assistance, stating facts showing an inability to pay the cost because of indigency. If the requesting person is eligible for a requested discount, the FOIA Coordinator shall fully note the discount on the detailed itemization described in the Detailed Cost Itemization (Attachment B). If a requesting person is ineligible for the discount, the FOIA Coordinator shall inform the requesting person specifically of the reason for ineligibility in the FOIA Coordinator's written response. An individual is ineligible for this fee reduction if any of the following apply:
    - The individual has previously received discounted copies of public records from the Library twice during that calendar year.
    - The individual requests the information in conjunction with outside parties who are offering or providing payment or other remuneration to the individual to make the request. The FOIA Coordinator may require a statement by the requesting person in the affidavit that the request is not being made in conjunction with outside parties in exchange for payment or other remuneration.

- A nonprofit organization formally designated by the State of Michigan to carry out activities under subtitle C of the Developmental Disabilities Assistance and Bill of Rights Act of 2000, Public Law 106-402, and the Protection and Advocacy for Individuals with Mental Illness Act, Public Law 99-319, or their successors, if the request:
    - Is made directly on behalf of the organization or its clients;
    - Is made for a reason wholly consistent with the mission and provisions of those laws under section 931 of the Mental Health Code, 1974 PA 258, MCL 330.1931; and
    - Is accompanied by documentation of its designation by the State of Michigan, if requested by the FOIA Coordinator.

In either the Library's initial response or subsequent response to a FOIA request under Section 5(2)(d) of the Act, the Library may require a good-faith deposit from the requesting person before providing the public records if the entire fee estimate or charge authorized under Section 4 of the Act exceeds $50, based on a good-faith calculation of the total fee. The deposit shall not exceed ½ of the total estimated fee, and the Library's request for a deposit shall include a detailed itemization on the Detailed Cost Itemization (Attachment B). The Library's response shall also contain a best efforts estimate by the Library regarding the time frame it will take the Library to comply with the Act in providing the public records to the requesting party. If the Library does not respond in a timely manner as described in section 5(2) of the Act, it is not relieved from its requirements to provide proper fee calculations and time frame estimates in any tardy responses.

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

- The final fee for the prior written request was not more than 105% of the estimated fee.
- The public records made available contained the information being sought in the prior written request and are still in the Library's possession.
- The public records were made available to the individual, subject to payment, within the time frame estimate described in the prior request.
- Ninety (90) days have passed since the Library notified the individual in writing that the public records were available for pickup or mailing.
- The individual is unable to show proof of prior payment to the Library.
- The FOIA Coordinator calculates a detailed itemization on Attachment B (Detailed Cost Itemization) that is the basis of the current written requests' increased fee deposit.

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

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

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

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

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

- The late response was willful and intentional; or
- The written request, within the first 250 words of the body of a letter, facsimile, electronic mail, or electronic mail attachment, or specifically included the words, characters, or abbreviations for "freedom of information", "information", "FOIA", "copy" or a recognizable misspelling of such, or legal code reference to MCL 15.231 et seq. or 1976 Public Act 442 on the front of an envelope or in the subject line of an email, letter, or facsimile cover page.

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

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

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

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

After a person has made a written request for a public record in accordance with the Act, the FOIA Coordinator shall respond within five (5) business days after its receipt. A written request made by facsimile, electronic mail, or other electronic transmission is not considered received by the FOIA Coordinator until one (1) business day after the electronic transmission is made, as provided in the Act. A written request sent by email and delivered to the Library's spam or junk folder is not considered received by the Library until one (1) day after it first becomes aware of the written request. The Library will note in its records both the time a written request is delivered to its spam or junk mail folder and the time that it first becomes aware of that request. A person making a written request for a public record may stipulate that the public records be provided on non-paper physical media, electronically mailed, or otherwise electronically provided to him or her in lieu of paper copies. This requirement shall not apply if the Library lacks the technological capability necessary to provide records on the particular

non-paper physical media stipulated in the particular instance. If public records are provided on non-paper physical media, electronically mailed or otherwise electronically provided in lieu of paper copies as stipulated by the person making the request, the Library may charge more than the 50% fringe benefit multiplier (not to exceed actual cost) as provided in Section 4(5) of the Act.

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

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

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

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

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

2. Issue a written notice denying the request.
The FOIA Coordinator may use the form attached as Attachment D for this purpose. The notice of the denial shall include:

- an explanation as to why the requested public record is exempt from disclosure in accordance with the Act, or
- a certificate that the requested public record does not exist under the name given by the requesting person or by another name reasonably known to the Library, or
- a description of a public record or information which had to be separated or deleted from the public record pursuant to Section 14 of the Act. In addition to the explanations noted

above, the denial shall also include a full explanation of the person's right to appeal the denial to the Library Board and to seek judicial review in accordance with Section 10 of the Act.

3. Grant the request in part, and issue a written notice denying the request in part. In the latter instance, the public records exempted from disclosure shall be treated as in subsection (2) above.

4. Issue a written notice extending the time in which to respond to the request by ten (10) business days. The FOIA Coordinator may use the form attached as Attachment C for this purpose. The notice will specify the reasons for the extension and the date by which the Library will grant the request, deny the request, or grant in part and deny in part the request. The Library shall not issue more than one such notice of extension for a particular request.

5. Issue a written notice indicating that all or a portion of a requested public record is available at no charge on the Library's website. To the degree practicable, the written response shall include a specific webpage address where the requested information is available. On Attachment B (Detailed Cost Itemization), the FOIA Coordinator shall separate the requested public records that are available on the Library's website from those that are not available on the website and shall inform the requesting party of the additional charge to receive copies of the public records that are available on its website. If the Library has included the website address for a public record in its written response to the requesting person and the requesting person thereafter stipulates that the public record be provided to him or her in a paper format or non-paper physical media, the Library shall provide the public records in the specified format but may use a fringe benefit multiplier greater than 50% not to exceed the actual costs of providing the information in the specified format as provided in Section 4(5) of the Act.

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

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

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

SECTION 6 – PROCEDURES FOR SEPARATION OF RECORDS

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

SECTION 7 – FOIA COORDINATOR

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

SECTION 8 – APPEALS-DENIALS

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

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

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

SECTION 9 – APPEALS-FEES

If a requesting person believes that the Library is requiring a fee that exceeds the amount permitted under these Procedures & Guidelines or Section 4 of the Act, the requesting person may submit to the Library Board as the "head of the public body" a written appeal for a fee reduction that specifically states the word "appeal" and identifies how the required fee exceeds the amount permitted. The person making the appeal may use the form attached as Attachment F. The Library Board is not considered to have received a written appeal until the first regularly scheduled meeting of the Library Board following submission of the written appeal.

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

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

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

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

SECTION 10-INTERPETATION AND EFFECTIVE DATE

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

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

SECTION 11 – FORMS

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

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

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

KDL POLICY APPENDIX XIX

CODE OF ETHICAL PRINCIPLES + STANDARDS

ETHICAL PRINCIPLES

Adopted 1964; amended Sept. 2007

The Association of Fundraising Professionals (AFP) exists to foster the development and growth of fundraising professionals and the profession, to promote high ethical behavior in the fundraising profession and to preserve and enhance philanthropy and volunteerism.

Members of AFP are motivated by an inner drive to improve the quality of life through the causes they serve. They serve the ideal of philanthropy, are committed to the preservation and enhancement of volunteerism; and hold stewardship of these concepts as the overriding direction of their professional life. They recognize their responsibility to ensure that needed resources are vigorously and ethically sought and that the intent of the donor is honestly fulfilled.

To these ends, AFP members, both individual and business, embrace certain values that they strive to uphold in performing their responsibilities for generating philanthropic support. AFP business members strive to promote and protect the work and mission of their client organizations.

AFP members both individual and business aspire to:

- practice their profession with integrity, honesty, truthfulness and adherence to the absolute obligation to safeguard the public trust
- act according to the highest goals and visions of their organizations, professions, clients and consciences
- put philanthropic mission above personal gain;
- inspire others through their own sense of dedication and high purpose
- improve their professional knowledge and skills, so that their performance will better serve others
- demonstrate concern for the interests and well-being of individuals affected by their actions
- value the privacy, freedom of choice and interests of all those affected by their actions
- foster cultural diversity and pluralistic values and treat all people with dignity and respect
- affirm, through personal giving, a commitment to philanthropy and its role in society
- adhere to the spirit as well as the letter of all applicable laws and regulations
- advocate within their organizations adherence to all applicable laws and regulations
- avoid even the appearance of any criminal offense or professional misconduct
- bring credit to the fundraising profession by their public demeanor
- encourage colleagues to embrace and practice these ethical principles and standards
- be aware of the codes of ethics promulgated by other professional organizations that serve

philanthropy

ETHICAL STANDARDS

Furthermore, while striving to act according to the above values, AFP members, both individual and business, agree to abide (and to ensure, to the best of their ability, that all members of their staff abide) by the AFP standards. Violation of the standards may subject the member to disciplinary sanctions, including expulsion, as provided in the AFP Ethics Enforcement Procedures.

Member Obligations

1. Members shall not engage in activities that harm the members' organizations, clients or profession.
2. Members shall not engage in activities that conflict with their fiduciary, ethical and legal obligations to their organizations, clients or profession.
3. Members shall effectively disclose all potential and actual conflicts of interest; such disclosure does not preclude or imply ethical impropriety.
4. Members shall not exploit any relationship with a donor, prospect, volunteer, client or employee for the benefit of the members or the members' organizations.
5. Members shall comply with all applicable local, state, provincial and federal civil and criminal laws.
6. Members recognize their individual boundaries of competence and are forthcoming and truthful about their professional experience and qualifications and will represent their achievements accurately and without exaggeration.
7. Members shall present and supply products and/or services honestly and without misrepresentation and will clearly identify the details of those products, such as availability of the products and/or services and other factors that may affect the suitability of the products and/or services for donors, clients or nonprofit organizations.
8. Members shall establish the nature and purpose of any contractual relationship at the outset and will be responsive and available to organizations and their employing organizations before, during and after any sale of materials and/or services. Members will comply with all fair and reasonable obligations created by the contract.
9. Members shall refrain from knowingly infringing the intellectual property rights of other parties at all times. Members shall address and rectify any inadvertent infringement that may occur.
10. Members shall protect the confidentiality of all privileged information relating to the provider/client relationships.
11. Members shall refrain from any activity designed to disparage competitors untruthfully.

Solicitation and Use of Philanthropic Funds

12. Members shall take care to ensure that all solicitation and communication materials are accurate and correctly reflect their organizations' mission and use of solicited funds.
13. Members shall take care to ensure that donors receive informed, accurate and ethical advice about the value and tax implications of contributions.

14. Members shall take care to ensure that contributions are used in accordance with donors' intentions.
15. Members shall take care to ensure proper stewardship of all revenue sources, including timely reports on the use and management of such funds.
16. Members shall obtain explicit consent by donors before altering the conditions of financial transactions.

Presentation of Information

17. Members shall not disclose privileged or confidential information to unauthorized parties.
18. Members shall adhere to the principle that all donor and prospect information created by, or on behalf of, an organization or a client is the property of that organization or client and shall not be transferred or utilized except on behalf of that organization or client.
19. Members shall give donors and clients the opportunity to have their names removed from lists that are sold to, rented to or exchanged with other organizations.
20. Members shall, when stating fundraising results, use accurate and consistent accounting methods that conform to the appropriate guidelines adopted by the American Institute of Certified Public Accountants (AICPA)* for the type of organization involved. (* In countries outside of the United States, comparable authority should be utilized.)

Compensation and Contracts

21. Members shall not accept compensation or enter into a contract that is based on a percentage of contributions; nor shall members accept finder's fees or contingent fees. Business members must refrain from receiving compensation from third parties derived from products or services for a client without disclosing that third- party compensation to the client (for example, volume rebates from vendors to business members).
22. Members may accept performance-based compensation, such as bonuses, provided such bonuses are in accord with prevailing practices within the members' own organizations and are not based on a percentage of contributions.
23. Members shall neither offer nor accept payments or special considerations for the purpose of influencing the selection of products or services.
24. Members shall not pay finder's fees, commissions or percentage compensation based on contributions, and shall take care to discourage their organizations from making such payments.
25. Any member receiving funds on behalf of a donor or client must meet the legal requirements for the disbursement of those funds. Any interest or income earned on the funds should be fully disclosed.

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KDL POLICY APPENDIX XXI

THE DONOR BILL OF RIGHTS

Philanthropy is based on voluntary action for the common good. It is a tradition of giving and sharing that is primary to the quality of life. To ensure that philanthropy merits the respect and trust of the general public, and that donors and prospective donors can have full confidence in the nonprofit organizations and causes they are asked to support, we declare that all donors have these rights:

I. To be informed of the organization's mission, of the way the organization intends to use donated resources, and of its capacity to use donations effectively for their intended purposes.

II. To be informed of the identity of those serving on the organization's governing board, and to expect the board to exercise prudent judgment in its stewardship responsibilities.

III. To have access to the organization's most recent financial statements.

IV. To be assured their gifts will be used for the purposes for which they were given.

V. To receive appropriate acknowledgement and recognition.

VI. To be assured that information about their donation is handled with respect and with confidentiality to the extent provided by law.

VII. To expect that all relationships with individuals representing organizations of interest to the donor will be professional in nature.

VIII. To be informed whether those seeking donations are volunteers, employees of the organization, or hired solicitors.

IX. To have the opportunity for their names to be deleted from mailing lists that an organization may intend to share.

X. To feel free to ask questions when making a donation and to receive prompt, truthful and forthright answers.