

**Westland Public Library
Board of Trustee Minutes
August 13, 2008
Community Rooms A & B**

A regular meeting of the Board of Trustees of the William P. Faust Public Library of Westland, MI was held on Wednesday, August 13, 2008, at 6123 Central City Parkway, Westland, Michigan

1. Call to Order.

The meeting was called to order at 7:00 p.m. by Board President Daniel Bourdeau.

Roll Call.

Members Present: Duane Moody, Sam Durante, James Bloom, Daniel Bourdeau.
Also Present: Library Attorney Michael McNamara, Director Cheryl Napsha,

2. Citizen's Comments

None.

3. Consent Calendar

None.

4. Guest Presentations

None.

5. Business

a. Lisa Hausman is recognized as the library's employee of the month.

Motion to Amend Agenda to include June 24, 2008 Special Session to Item 5b and all current items to c, d, e, f, and g: Bloom

Support: Moody

Roll: Moody, yes; Durante, yes; Bloom, yes; Bourdeau, yes

Motion Carried Unanimously

b. Motion to Approve June 24, 2008 Special Session Minutes as Amended:
Moody.

Support: Durante
Roll: Moody, yes; Durante, yes; Bloom, yes; Bourdeau, yes
Motion Carried Unanimously

- c. Motion to Approve July 9th Trustee Minutes as Amended: Durante.
Support: Moody.
Roll: Moody, yes; Durante, yes; Bloom, yes; Bourdeau, yes
Motion Carried Unanimously
- d. Motion to Approve July 12th Trustee Minutes – Emergency Session:
Moody.
Support: Bloom
Roll: Moody, yes; Durante, yes; Bloom, yes; Bourdeau, yes
Motion Carried Unanimously

Motion to Adjourn for 10 minutes: Moody
Support: Bloom
Roll: Moody, yes; Durante, yes; Bloom, yes; Bourdeau, yes
Time: 7:25 p.m.

Call to Order by President Bourdeau
Time: 7:35 p.m.

- e. Motion to Approve Bills: Durante
Support: Moody
Roll: Moody, yes; Durante, yes; Bloom, yes; Bourdeau, yes
Motion Carried Unanimously
- f. Appointment of Mr. Durante to Policy Sub-Committee; Mr. Bourdeau,
resigned committee.
- g. Second Reading of the Amended Circulation Policy

Section A

A. Patron Registration

1. Library cards may be issued at no charge to the following:
 - Residents of the City of Westland.
 - Taxpayers **of** the City of Westland **who reside elsewhere**.
 - Non-residents who work or attend school in the City of Westland.
 - Cardholders from libraries belonging to The Library Network (TLN), the Westland library's cooperative.
 - Cardholders from libraries participating in the Michicard statewide loan system.
 - Library employees.

Cards expire three years from date of issuance and may be renewed by patrons in good standing, subject to identification verification.

Employee library cards expire when the position is terminated.

2. Temporary cards may be issued at no charge to the following:

- Temporary residents of the City of Westland.
- Non-residents of the City of Westland who live in a TLN member community, but do not have a card from their home library.
- Non-residents of the City of Westland who live in a Michicard member community, but do not have a card from their home library.

Temporary cards expire one month from date of issue. They are renewable only for people residing in Westland longer than one (1) month, and must be verified monthly.

3. Library cards may be issued for a fee of \$25 for six (6) months or \$40 for twelve (12) months to the following:

- Residents of communities not participating in The Library Network (TLN).
- Residents of communities not participating in the Michicard statewide loan system.

4. Library cards may be issued to persons under 18 years of age, subject to the following:

- All card applications for minors must be co-signed by a parent or legal guardian. The person who signs the library card application for a minor child is responsible for any outstanding fines, bills or overdue materials on the child's card.
- Parents or legal guardians who are unable to visit the library to sign a minor's card application in person must attach a photocopy of their driver's license or other current form of acceptable identification that has a signature.
- Parents or legal guardians who reside at an address different from the minor applicant must provide identification and address verification for both themselves and any minors lacking their own picture identification card with current address.
- Minors with their own picture identification cards with a current address may present such cards as proof of identification and address verification.

5. A library card must be presented at time of checkout. If the patron does not have their card, the following procedures may be used to verify the patron's identity:

- Current Michigan Driver's license or State of Michigan identification card.

Verification for minors includes:

- Photo identification card, such as school I.D. card.
- A parent or legal guardian may verify the identity of a minor if he/she has appropriate identification.
- Staff may, at their discretion, ask the minor to orally provide information that may be checked against the patron record. Such information may include minor's middle name, last four digits of minor's telephone number, or name of parent or legal guardian listed on the patron record.

VERIFICATION OF IDENTIFICATION AND ADDRESS

1. People seeking library cards must be able to provide identification verifying their identity and address. Acceptable forms of identification include:

- A current Michigan driver's license or State of Michigan identification card
- A valid school identification card.

Non-resident property owners must also provide proof of ownership. Acceptable forms of proof include the most recent property tax bill, mortgage receipts, or a title.

In addition to the items previously listed:

2. Non-residents who attend school or work in Westland must show proof that they attend school or work in Westland. Acceptable forms of proof are:

- A valid school identification card
- Employee identification card
- Current school registration or grade report (for students)
- Business card or postmarked envelope addressed to the worker at the Westland business (for workers)
- Signed letter on business or school letterhead from a supervisor

3. Temporary residents of Westland must show proof of temporary residency. Acceptable proof includes:

- Lodging receipt showing length of stay
- Affirmation by a Westland resident and/or property owner who meets the identification criteria previously listed.

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Affirmation by a Westland resident and/or property owner who meets the identification criteria previously listed.

Motion to Accept Second Reading: Moody

Support: Durante

Roll: Moody, yes; Durante; yes; Bloom, no; Bourdeau, yes

Motion Carried

Section B

B. Borrowers' Rights and Responsibilities

1. RIGHTS

- The library card application states that patron information is confidential. Individual information provided on an application may not be provided to anyone other than the applicant or library staff members or contractors requiring it for circulation purposes, except as covered by the Library Privacy Act.
- Individual information about materials borrowed by library patrons is confidential and may not be shared with other patrons, or with staff members or contractors, outside the necessary scope of library work.
- Michigan's Library Privacy Act (P.A. 455, 1982) forbids the disclosure of library records to another party without the written consent of the individual whose records are sought, unless there is a court order for the release of these records. This act applies to parents and/or legal guardians who co-sign for minors, as well as spouses, and other relatives.
- The Library reserves the right to gather, disseminate, and otherwise use statistics about library patrons as a whole, including demographic and broad borrowing pattern characteristics.

2. RESPONSIBILITIES

In signing the library card application, cardholders accept responsibility for the following:

- *Materials.* Cardholders must return all borrowed items. Items must be in substantially the same condition, allowing for normal wear and tear, in which they were borrowed.
- *Borrowing policies.* Cardholders must comply with established policies on loan periods, renewals, fines, and fees.

- *Changes to Personal Information.* Cardholders must inform the library of any changes of name, residence address, email address or telephone number that might affect their status or the library's ability to contact them.
- *Lost or Stolen Library Cards.* Cardholders must immediately inform the library of a lost or stolen library card, so that borrowing privileges may be suspended. A fee of \$1 will be charged for replacement cards.

Motion to Accept Second Reading: Durante

Support: Moody

Roll: Moody, yes; Durante, yes; Bloom, no; Bourdeau, yes

Motion Carried

Section C

C. Loan Periods, Renewals, and Item Value Limits

1. LOAN PERIODS

- | | |
|-----------------------------|---------|
| • New adult fiction | 2 weeks |
| • New adult non-fiction | 2 weeks |
| • Book Club in a bag | 8 weeks |
| • Circulating encyclopedias | 2 weeks |
| • All other books | 3 weeks |
| • Audio books | 2 weeks |
| • Music tapes & CDs | 2 weeks |
| • Videos & DVDs | 2 weeks |
| • CD-Roms | 2 weeks |
| • Magazines & pamphlets | 1 week |

2. EXTENDED LOAN PERIODS

- Library patrons who will be away on an extended trip may, at the time of checkout, request an extended loan for up to 60 days.
- Renewals on extended loans will be at the discretion of the staff.
- Items with holds placed on them may not have an extended loan.
- A maximum of ten (10) items may be borrowed on extended loan.
- Extended loans will not be given to patrons with overdue materials or who owe fines or fees.

3. RENEWAL PERIODS

- All circulating items may be renewed for the standard loan period of such materials.
- Items may not be renewed more than twice without permission from a Supervisor.
- Items may not be renewed if requested by another patron.
- Items may be renewed in person, by telephone or through the library's website.

- Interlibrary loans received through TLN or MelCat may be renewed only with the consent of the lending library, which determines the loan period.

OCLC items may not be renewed.

Motion to Accept First Reading: Moody

Support: Durante

Roll: Moody, yes; Durante, yes; Bloom, no; Bourdeau, yes

Motion Carried

Section D. Fees and Fines

D. Fees and Fines

- Library users are expected to return all materials within the established borrowing period, unless they make arrangements to renew the materials.
- If materials are not returned or renewed by their due date, late return fines will be added to their library record.
- Fines will accrue for every day that the library is open, at the following rates:

1. All books	\$. 20
2. Magazines	\$. 20
3. Videos and DVDs	\$1.00
4. CD-ROMs	\$1.00

- Fines for materials are capped as follows:

1. Popular paperbacks	\$ 5.00
2. Magazines	\$ 4.00
3. All other materials	\$10.00

- All materials that are not returned, or are returned damaged beyond repair, must be paid for by the responsible borrower.
- Returned incomplete sets (e.g., audio-visual material with multiple discs or booklets) will be assessed for the entire set value.
- The assessment will be the list price of the item at time of library purchase, plus a \$5.00 processing fee per item.
- Audio-Visual materials will be assessed as listed above, and include an additional cost for replacement of the AV case, at the following fee:

1. Video Case	\$1.50
2. Individual Cassette	\$1.00
3. Multiple Case Cassette	\$6.00
4. CD or CD-ROM	\$1.00
5. Kit Bag	\$6.00

- Because of differing or special editions, replacement copies of items will not be accepted in lieu of payment.

Fines owed on the item will be nullified at the time of the replacement payment.

Motion to Accept First Reading: Moody
Support: Durante

Discussion on Part 5: Mr. Bloom noted this particular part of the suggested policy may be unfair, and requested that the board look at alternatives. Particularly, items used by other library users may decrease the value of some library materials, and a user down the road should not be responsible for paying full replacement costs for such items. Ms. Napsha was asked by Mr. Bourdeau to come to the September meeting with some suggestions for alternative replacement costs.

Roll: Moody, yes; Durante, yes; Bloom, no; Bourdeau, yes
Motion Carried

Section E. Delinquent Library Patrons

E. Delinquent Library Patrons

1. Library patrons with fines and/or fees totaling more than five dollars (\$5) will be considered delinquent and will have their library privileges suspended until the amount owed falls below \$5.
2. In order to restore their library privileges, delinquent library patrons must return the overdue materials or pay for their replacement. In addition, they are responsible for overdue charges for materials returned past the due date.
3. If a library patron claims to have returned an item for which they are charged, staff will search for the item in the library. If it is not found, the patron will be charged for the lost item.
4. If an item is found within six (6) months of the library patron paying a replacement cost, and returned to the Library with receipt for payment, the item cost, less processing charge, will be refunded to the patron.
5. Library patrons whose accumulated fees and fines total at least \$25 may choose to set up a payment schedule with the Circulation Department.
6. When lost or damaged materials are paid for, all record of the fines and fees will be permanently removed from the patron's record.

Motion to Accept Second Reading: Durante
Support: Moody

Roll: Moody, yes; Durante, yes; Bloom, no; Bourdeau, yes
Motion Carried

Section F. Returned Check Policy

F. Returned Check Policy

One item added to forms of payment.

The Public Library of Westland accepts the following forms of payment for fines, fees and expenses:

- Cash
- Personal or Business check (with proper identification)
- Traveler's check (with proper identification)
- Bank money order (with proper identification)
- Credit/debit card (with proper identification)

In the event that a patron's check is not honored by the institution upon which it is drawn, the following fee will be imposed:

1. Cost of the check will be due and payable.
2. A \$20.00 returned check fee will be assessed to cover bank charges.
3. A \$5.00 administrative expense fee will be assessed to cover cost of recovery.

Any patron who has had three (3) checks returned for non-sufficient funds will no longer be permitted to use personal checks as payment.

Motion to Accept Second Reading: Moody
Support: Durante
Roll: Moody, yes; Durante, yes; Bloom, no; Bourdeau, yes
Motion Carried

Section G. Michigan Privacy Act.

G. Michigan Library Privacy Act

It is the policy of the William P. Faust Public Library of Westland to preserve the privacy of circulation records of its patrons to the fullest extent permitted by law. To that end, the circulation records of the library shall be released or disclosed only as provided for herein.

Library staff shall not release library records to any person other than the patron named in the record (i.e., the library card holder). The Michigan Library Privacy Act prohibits disclosure to all third parties, including parents

or other persons who have signed to accept financial responsibility for the card holder.

1. Records Protected by the Michigan Privacy Act

The Michigan Library Privacy Act provides that library records may not be disclosed to third parties unless the library has received written permission of the patron or a properly obtained court order (MCL 391.603). A "library record" is defined in the statute as "a document, record, or other method of storing information retained by a library that identifies a person as having requested or obtained specific materials from a library." "Library record" does not include non-identifying materials such as circulation statistics.

2. Authority for Policy

The authority for this policy is the Michigan Privacy Act, 1982 Public Act 455, MC 397.601-397.605 and 1998 Public Act 7. Library records protected by the Michigan Library Privacy Act are exempt from disclosure under the Michigan Freedom of Information Act (MCL 397.603 and MCL 15.243 (1) (a) and (d).

3. Library Privacy Act Amendment – 1996 PA 188

Interpretation:

Public Act 188 of 1996 amends the Michigan Library Privacy Act. The Act permits disclosure of library records if the library receives "written consent of the person liable for payment for or return of the materials identified in that library record" MLC 397.603 (2). If a parent or legal guardian signs to accept legal responsibility for that child's library fines and other charges, the parent or guardian may authorize the disclosure of that child's library records.

Motion to Accept Second Reading: Moody

Support: Durante

Roll: Moody, yes; Durante, yes; Bloom, no; Bourdeau, yes

Motion Carried

H. Confidentiality Policy: Disclosure of Patron Registration Information

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It is the policy of the William P. Faust Public Library of Westland to preserve the confidentiality of the registration records of its patrons to the fullest extent permitted by law. To that end, the registration records of the library shall be released or disclosed only as provided herein.

All patron registration information shall be treated by the staff of the William P. Faust Public Library of Westland as confidential, including name, address, phone number, and any other information provided on the patron's registration form. This policy also prohibits disclosure of whether or not a person has a library card.

1. Registration Records

This policy defines "registration records" as any information gathered from the patron on the library card registration form (name, address, phone number, etc.). This policy does not cover library circulation records protected by the Michigan Library Privacy Act. For information on nondisclosure of those records, see Privacy Policy.

2. Notification of the Library Director

Any employee of the William P. Faust Public Library of Westland who receives a request, or is served with a subpoena, court order, or other legal process, to release or disclose any registration record shall promptly notify the Library Director.

3. Action by the Library Director

The Library Director, in a timely manner, shall review all requests and orders, consult with the library's attorney, as necessary, and respond in an appropriate manner to each such request or court order in accordance with this policy and with the Michigan Freedom of Information Act, 1976 Public Act 442, being MCL 15.231, *et seq.*

4. Requests for Library Records

The Library Director shall deny, in writing, all requests for the release or disclosure of registration information unless the Director has received the written consent to such release or disclosure from the persons identified in the records. Patron registration information is considered by the library board to be "information of a personal nature where public disclosure of the information would constitute a clearly unwarranted invasion of an individual's privacy" as exempted from disclosure in the Michigan Freedom of Information Act, MCL 15.231, *et seq.*

5. Freedom of Information Acts Requests for Registration Information

The Library Director shall deny, in writing, any designated "Michigan Freedom of Information Act" request for the release or disclosure of confidential patron registration information.

6. Court Order for Release of Library Records

The Library Director shall comply fully with a court order to release or disclose library records if that court order was properly obtained under Section 3 (2) of the Library Privacy Act (MCL 397.603).

7. Authority for Policy

The authority for this policy is the Michigan Privacy Act, 1982 Public Act 455, MC 397.601-397.605 and 1998 Public Act 7. Library records protected by the Michigan Privacy Act are exempt from disclosure under the Michigan Freedom of Information Act (MCL 397.603 and MCL 15.243 (1) (a) and (d).

Motion to Accept Second Reading: Durante
Support: Moody
Roll: Moody, yes; Durante, yes; Bloom, no; Bourdeau, yes
Motion Carried

I. Michigan Freedom of Information Act Denial of Request for Information

I. Michigan Freedom of Information Act Denial of Request for Information

TO: _____

Address: _____

You are hereby notified that your request of _____(date) has been denied because the information requested is exempt from disclosure pursuant to the Michigan Freedom of Information Act, MCL 15.243 (1)(a) and (d). The William P. Faust Public Library of Westland maintains a policy of confidentiality of library patron records and will not release library patron names, addresses, telephone numbers or other registration information without the written permission of the library patron.

Under Michigan law, you have the right to seek judicial review of this decision and you may be entitled to receive damages or attorney fees, if you prevail as provided in MCL 15.240.

Name and Title of Person Denying Request

Date

Motion to Accept Second Reading: Bloom
Support: Moody
Roll: Moody, yes; Durante, yes; Bloom, yes; Bourdeau, yes
Motion Carried Unanimously

6. Director's Report

Ms. Napsha introduced the "Clean Slate" Program for the Board Discussion. Ms. Hausman the Children's Director was present to provide statistics in explaining the program for encouraging Westland school children to return to the library.

Motion to waive all overdue fines accrued before September 1, 2008 for all Westland resident students grades K-12. Eligible students must physically come to the library and request the "clean slate" program. They must return any overdue library materials still in their possession. fees for damaged or lost materials are excluded from this program and remain payable: Bloom
Support: Moody
Roll: Moody, yes; Durante, yes; Bloom, yes; Bourdeau, yes
Motion Carried Unanimously

7. Committee Reports

None

8. Board Member Comments

Durante – Good idea the "Clean Slate" Program would like to see it expanded to senior citizens.

Moody – Would like to congratulate Ms. Hausman on her well deserved "Employee of the Month. He saw her work at the Dorsey Center and was impressed by the way the children respond so positively to her, she is wonderful with children. Also likes the "Clean Slate" program. Ms. Hausman had discussed security issues at the Dorsey Center and Mr. Moody would like to have this issued discussed with the Police Department and the Mayor's office.

Bloom - Likes the "Clean Slate" program and asked about the security issues at the Dorsey Center.

Ms. Napsha responded she would look into the matter at the Dorsey Center.

It was never the intent of the Board of Trustees to have the Circulation Sub-Committee rewrite the Trustee Manual. It was the intent to peruse the current policies and make necessary change recommendations. The work of the sub-committee over the past year has resulted in minor changes to policy and major changes to verbiage. To date the library still has no policy regarding the use of cell phones within the library. He also feels the sub-committee to date is wasting the library trustees' and the library director's time.

Bourdeau – Congratulations to Ms. Hausman on her being awarded the “Employee of the Month”. Her summer reading program was spectacular. The way the program motivated his daughter was great and so was the after party. Ms Hausman needs to know that as a patron and as the Board President he thinks she is phenomenal.

Mr. Bourdeau requested a meeting with the Treasurer and Director regarding budget issues.

9. Miscellaneous Handouts.

None.

10. Next Meeting Topics.

None.

11. Adjournment

Motion to Adjourn: Moody

Support: Durante

Roll: Moody, yes; Durante; yes; Bloom, yes; Bourdeau, yes

Motion Carried Unanimously

Meeting Adjourned at 8:49 p.m.

James L. Bloom

Westland Public Library Board of Trustees, Secretary