

# Whitman County Rural Library By-Laws and Policies

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## 1 GOVERNANCE

### 1.1 By-Laws

#### ARTICLE 1: IDENTIFICATION

##### Identification:

The name of the organization is Whitman County Rural Library District with headquarters in Colfax, Washington.

#### ARTICLE 2: PURPOSE

##### Purpose:

The purpose of the Whitman County Rural Library District Board is to represent the library both to the people and to the governing officials. It is the trustee's obligation to see that adequate funds are obtained for good library service, to promote the best possible use of all library resources in the area, to improve existing libraries, and extend library service to those not previously served. The basic philosophy of the Library Board of Trustees shall conform to the tenets set forth in the Library Bill of Rights. (Appendix 8.1).

#### ARTICLE 3: BOARD OF DIRECTORS

##### Section 1: Number and Qualification:

The governing body of the library is composed of five members as appointed by the County Commissioners.

##### Section 2: Term of Office:

A trustee's office shall be five years. No trustee shall serve more than two full consecutive terms. A former Board member can be reappointed after a lapse of one year. If a member is appointed to serve an unexpired term of office, it does not count as a full term, leaving the option of two more terms for the member.

##### Section 3: Disqualification, Vacancies:

A trustee's position shall be declared vacant if:

A trustee moves from Whitman County.

When any trustee fails to attend at least three consecutive meetings of the Board.

It shall be the duty of the Library Director, under the direction of the Board of Trustees, to advertise the opening, interview qualified applicants, and recommend the best candidate(s) to the Whitman County Board of Commissioners for appointment.

##### Section 4: Officers:

Officers of the Board shall be chairman, vice-chairman and secretary.

Officers shall be elected at the regular annual meeting in November of the previous year. An officer may succeed himself/herself. Vacancies in the

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office shall be filled by vote at the next regular meeting of the Board after the vacancy occurs. The duties of the officers are as follows:

The chairman shall preside at meetings and perform such other duties as custom and law devolve upon the chairman.

The vice-chairman shall assume the duties of the chairman in the event of the absence or disability of the chairman.

The secretary shall assume duties appropriate to the office as needed.

The Director or designee shall serve as executive secretary to keep true and accurate records of all proceedings of the Board meetings. The Director has no vote on the Board.

### Section 5: Indemnity Agreement:

The Board of Trustees shall abide by the American Library Trustee Association indemnification statement, as follows:

“It should be considered mandatory that every library have an adequate level of insurance coverage. If any claim or action not covered by insurance or State Statute is instituted against a trustee of the Library System arising out of an act or omission by a trustee, acting in good faith for a purpose considered to be in the best interest of the System; or if any claim or action not covered by insurance or State Statute is instituted against a trustee, allegedly arising out of an act or omission occurring within the scope of their duties as such a trustee; the System shall at the request of the trustee:

Appear and defend against the claim or action; and

Pay or indemnify the trustee for a judgment and court costs, based on such a claim or action; and

Pay or indemnify the trustee for a compromise or settlement of such a claim or action, providing the settlement is approved by the Board of Trustees.”

Decision as to whether the System shall retain its own attorney or reimburse the trustee expenses to their own legal counsel rest with the Board of Trustees and shall be determined by the nature of the claim or action. The term trustee shall include any former trustee of the System.

## ARTICLE 4: MEETINGS

### Section 1: Time:

The Library Board shall meet on the third Tuesday of each month in the afternoon at the Whitman County Library or at the place designated at the preceding meeting.

### Section 2: Special Meetings:

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Special meetings of the Board of Trustees may be called by the chairman or upon written request of three members, for the transaction of business as stated in the meeting request. Notice stating the time and place of any special meeting and the purpose for which it is called shall be given each member of the Board of Trustees three days in advance of the meeting.

### Section 3: Executive Sessions:

The Board may go into an executive session during any meeting, but they must announce the purpose of the executive session and the amount of time they expect it to take as in RCW 42.30.110 (1.9 Open Public Meetings Act). If the session lasts longer than the stated time, the Board must announce the additional time required to any members of the public in attendance.

### Section 4: Quorum:

A quorum for transaction of business shall consist of a simple majority.

Section 5: Open Public Meetings: The Board will follow the rules laid down in RCW 42.30 concerning the Open Public Meetings Act (1.9 Open Public Meetings Act).

### Section 6: Parliamentary Authority:

Robert's Rules of Order, latest revised edition, shall govern the parliamentary procedure of the meetings.

## ARTICLE 5: COMMITTEES

### Section 1: Ad Hoc Committee:

Ad Hoc committees for the study of special problems shall be appointed by the chairman, with the approval of the Board, to serve until the final report of the work for which they were appointed has been filed.

## ARTICLE 6: DUTIES OF THE BOARD OF TRUSTEES

Adhere to practice and procedures as spelled out in the Washington State Public Library trustee manual:

- Employ a qualified Library Director – maintain an on-going performance appraisal process for the Director.

- Identify and adopt written policies to govern the operation and programs of the library.

- Ensure that the library has a long-range planning process with implementation goals and evaluation.

- Ensure that the library has an active marketing program. Participate when appropriate.

- Secure adequate funds and investments to carry out the library's program – assist in the preparation and presentation of the annual budget.

- Be familiar with local, state, and federal library laws, as well as any pending legislation.

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Participate at all Board meetings and see that accurate records are kept on file. Comply with Freedom of Information regulations.  
Attend trustee meetings and workshops.  
Appoint liaison to attend Friends of the Library meetings.  
Network with community members to advocate for the library and seek their input for services.

### ARTICLE 7: DIRECTOR

The Director shall be considered the executive officer of the Board and shall have sole charge of the administration of the library under the direction and review of the Board. The Director shall be held responsible for the care of the buildings and equipment, for the employment and direction of the staff, for the efficiency of the library's service to the public, and for the operation of the library under the financial conditions set forth in the annual budget. The Director shall attend all Board meetings.

If the Director fails in the performance of above duties the Board has the authority to ask for the resignation of said person or terminate his/her appointment, effective date of termination shall be set by the Board.

### ARTICLE 8: MILEAGE AND EXPENSES

Board members may be reimbursed for mileage to attend library meetings.

### ARTICLE 9: AMENDMENTS

These by-laws may be amended at any regular meeting of the Board with a quorum present, by majority vote of the members present.

## **1.2 Policy, Mission, and Values Statements**

### Policy Statement

The Whitman County Library Board of Trustees sets forth as a primary goal the basic tenets of the Library Bill of Rights (Appendix 8.1) and the Freedom to Read Statement (Appendix 8.2)

### Mission Statement

The mission of Whitman County Rural Library is to be our community's #1 resource for information, recreation, and discovery.

### Values Statement

Intellectual Freedom.  
Equal Access for all.  
Respect for diversity.  
Personal and organizational accountability.  
Providing services, technologies, and library materials based on the needs and desires of the community.  
Individual pursuit of learning as an informed citizenry is the foundation of a democratic society.  
Basic literacy and information literacy as critical life skills in our every-changing world.  
Reading as a means towards education, enlightenment, and enjoyment.  
The library as a social and information commons.  
Helpful, friendly service.  
Collaboration and partnerships with public, private, and library organizations.  
Cooperation, collaboration, and partnerships with area residents, businesses, libraries, and public and private agencies and organizations.  
Fiscal and professional responsibility.

### Service Roles Defined for Whitman County Rural Library by the Strategic Plan

Heart of the community.  
Popular materials focus.  
Center for lifelong learning.  
Access to information and community referral.  
Community Development

Please see the "Whitman County Rural Library District: Strategies for the Future, 2016 and Beyond" for goals, objectives, and development of strategic plan.

### 1.3 Organization and Structure

Whitman County Library is organized and operates under the County Rural Library District Laws of the State of Washington, this policy and procedure manual, and other statutes applicable to public libraries

The policy and procedure manual may be amended at any regular meeting of the Library Board of Trustees with a quorum present, by majority vote of the members present.

A headquarters is maintained where administrative offices will supervise services throughout the area.

Library service is extended to all residents of the Rural Library District by means of branch libraries and mail service. Additional outreach programs will be provided as dictated by need and budget limitations.

Any incorporated city or town inside the district may contract for library service. Service outlets in incorporated cities and towns may be by means of branches, deposit collections, or a combination of such outlets.

Incorporated cities may request to become a part of the rural library district as provided by RCW 27.12.360 (1.8 Annexation).

Whitman County Rural Library District:

Is a single county library district which, by law, serves all unincorporated rural areas of the county. By law, the Library Board may choose to contract with incorporated towns to provide library service.

Incorporated cities or towns in Whitman County may request annexation into the Library district. The Board of Trustees has the authority to accept or deny such requests (1.8 Annexation).

Whitman County Library System serves adults and children from the headquarters library, the branch libraries, and with books by mail.

Audience/User Groups:

Whitman County Library System serves all residents of unincorporated areas within the county, all residents of annexed cities, and all residents of all cities contracting with the library system.

Non-residents may use the collection in-house or may choose to acquire a non-resident library card. This card may restrict the non-resident borrower's privileges (4.1 Circulation Policy).



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The library has a reciprocal agreement with Neill Public Library in Pullman, WA and Latah County Library in Moscow, ID to provide residents in their service area cards free of charge.

## **1.4 Services of the Library**

The number one objective at Whitman County Library is friendly, top quality customer service.

The library staff provides guidance and assistance for people to obtain the information they seek in a variety of formats (4.5 Reference Policy).

The library provides information and materials to help people to equip themselves for useful occupational and practical affairs; to increase their competence to form sound judgments; to increase their understanding and appreciation of their cultural heritage; and to promote personal and social well-being.

The library initiates programs, promotes exhibits, and provides other guides to stimulate the use of library materials for the enlightenment of people of all ages. Requests for program sponsorship are evaluated by the Director or designee.

The library cooperates with other community agencies and organizations in ways that meet the mission of the library.

The library accepts a responsibility for securing information beyond its own resources by:

Collecting information about and listing for referral, resources of agencies, institutions, organizations, and individuals in and beyond the community both in print and online. Whitman County Rural Library District cannot accept responsibility for the accuracy of these print or online resources.

Borrowing materials for patrons through interlibrary loans that are not owned by the library and which can't be purchased, or materials for which the demand does not justify purchase (4.2 Interlibrary Loan Policy).

The library will lend to other libraries upon request, adhering to the policies and procedures set forth in OCLC policies (4.2 Interlibrary Loan Policy).

The library endeavors to maintain a balance in its services to all age groups.

The library offers to cooperate with school libraries in the county who wish to utilize some library resources. This is arranged on a case-by-case basis.

The public library cooperates with but cannot perform the function of school and other institutional libraries which are designed to meet curricular needs. The library endeavors to assist school libraries in the proper performance of their function whenever possible. Special borrowing privileges for teachers are allowed as long as such loans do not weaken the collections available to the public. The children's department conducts classroom visits, gives library

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instruction at the headquarters branch in an effort to promote full use of the public library.

Other groups, such as physically or mentally challenged, will have the opportunity for equal access to library programs and services.

Library services are provided during the hours which seem to best meet the needs of the community and through service outlets located at points of maximum convenience to the public.

Periodic review is made of library service to determine whether the needs of the community indicate that present services should be altered in any way.

The library may charge such fees or impose such penalties as it deems necessary to assure fair use of its services or to ensure the return of borrowed materials.

## **1.5 Community Library Services**

The library establishes community libraries under the following conditions:

- Need.

- Demand.

- Availability of physical quarters.

- Potential for future growth.

- Contribution for overall service patterns in the area.

Community libraries are maintained by contractual agreements between the library and cities, other entities, or by other arrangements in the unincorporated community.

The community library has regular hours of service which are based on the size and needs of the community served. Such hours are determined by the Director, working in cooperation with the Board of Trustees.

Community libraries are not located in private homes or in school buildings unless there is no other location available.

Branch managers are responsible for library operations as defined in the Branch manual:

- Circulation and reference service of the highest quality.

- Service and special programs for area children like summer reading and story time.

- Library promotion and public relations in local media and newsletters.

- Operation of and assisting customers with library computers or related technologies.

- Collection management, including trips to Colfax to rotate collection.

## **1.6 Other Extension Services**

Patrons are encouraged to request material, by author, title, or subject when the local collections do not meet their needs. Such requests are filled from within the library collections, by transfer from headquarters or between outlets. When the collection cannot meet the demand, such requests are forwarded to other agencies according to Interlibrary Loan protocol (4.2 Interlibrary Loan Policy).

Residents of Whitman County Rural Library District are able to use the libraries of Neill Public and Moscow Latah free of charge, thanks to a reciprocal agreement with these libraries. Residents will be required to obtain a card from the library and adhere to their policies.

Teachers wishing to assure the availability of materials for mass student assignments on single or limited topics are urged to contact the library headquarters prior to the assignment. If materials are limited, the library will be happy to place a borrowing period limitation on these materials and/or place some materials on reserve.

A Books by Mail program is offered to Whitman County Rural Library District residents that are homebound or have difficulty accessing conventional services.

Parent Resource Center available on the Whitman County Library website includes early learning opportunities, childcare resources, and child development information.

## **1.7 Library Buildings**

The Board of Trustees assumes responsibility to assure that the headquarters building meets the requirements of modern library service.

Communities are urged to make continuous analysis of community library buildings to determine if they are adequate and inviting. Programs for site acquisition, remodeling or construction should be adopted only after careful study and consultation with the Director and the Library Board.

Quarters for community libraries are provided in all cases by the local cities and towns. Contracts specifying the responsibilities of the Library District and the contracting or annexed city are provided by the Library District and must be signed in order for the District to provide library service at a branch site. Contract uniformity must be maintained.

## **1.8 Annexation to the Rural Library District**

### General Purpose:

Annexation is the method by which an incorporated city may become part of the rural library district as provided by RCW 27.12.360.

### Method (to be followed in numerical order):

1. Board approval of annexation is required.
2. An ordinance must be passed by the city council stating an intention to annex to the library district.
3. Approval of the ordinance must be made by the Library Board of Trustees.
4. A resolution by the County Commissioners must be made approving a special election.
5. The issue is placed on ballot by the municipality.
6. Approval of the ballot issue by the majority of the voters within the city limits.

### Responsibilities of the City Government:

To provide a suitable space for the operation of a library.

To pay the cost of providing heating, lighting, furniture, water, garbage, janitorial services, janitorial supplies, insurance, and other items as negotiated per contract.

To maintain the grounds and the premises and to keep the same in good repair at the city's expense.

### Responsibilities of the Library District:

To provide rotating collections of library materials on a monthly basis.

To pay the salaries of the branch manager and substitute.

To set the wages of the branch manager and substitute.

To hire and discharge the branch manager and substitute.

In the case of the City of Colfax, a building/janitorial fee will be computed and assessed to determine annual contract fees.

## 1.9 Open Public Meetings Act

### Legislative declaration (RCW 42.30.010)

The legislature finds and declares that all public commissions, boards, councils, committees, subcommittees, departments, divisions, offices, and all other public agencies of this state and subdivisions thereof exist to aid in the conduct of the people's business. It is the intent of this chapter that their actions be taken openly and that their deliberations be conducted openly.

The people of this state do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created.

[1971 ex.s. c 250 § 1.]

Reviser's Note: Throughout this chapter, the phrases "this act" and "this 1971 amendatory act" have been changed to "this chapter." "This act" [1971 ex.s. c 250] consists of this chapter, the amendment to [RCW 34.04.025](#), and the repeal of [RCW 42.32.010](#) and [42.32.020](#).

### Definitions: As used in this chapter unless the context indicates otherwise:

"Public agency" means:

Any state board, commission, committee, department, educational institution, or other state agency, which is created by or pursuant to statute, other than courts and the legislature;

Any county, city, school district, special purpose district, or other municipal corporation or political subdivision of the state of Washington;

Any subagency of a public agency which is created by or pursuant to statute, ordinance, or other legislative act, including but not limited to planning commissions, library or park boards, commissions, and agencies;

Any policy group whose membership includes representatives of publicly owned utilities formed by or pursuant to the laws of this state when meeting together as or on behalf of participants who have contracted for the output of generating plants being planned or built by an operating agency.

"Governing body" means the multimember board, commission, committee, council, or other policy or rule-making body of a public agency, or any committee thereof when the committee acts on behalf of the governing body, conducts hearings, or takes testimony or public comment.

"Action" means the transaction of the official business of a public agency by a governing body including but not limited to receipt of public testimony,



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deliberations, discussions, considerations, reviews, evaluations, and final actions. "Final action" means a collective positive or negative decision, or an actual vote by a majority of the members of a governing body when sitting as a body or entity, upon a motion, proposal, resolution, order, or ordinance.

"Meeting" means meetings at which action is taken.

[1985 c 366 § 1; 1983 c 155 § 1; 1982 1st ex.s. c 43 § 10; 1971 ex.s. c 250 § 2.]

Notes: Severability – Savings – 1982 1<sup>st</sup> ex.s. c 43: See notes following RCW 43.52.374.

### Meetings declared open and public (RCW 42.30.030)

All meetings of the governing body of a public agency shall be open and public and all persons shall be permitted to attend any meeting of the governing body of a public agency, except as otherwise provided in this chapter.

[1971 ex.s. c 250 § 3.]

### Conditions to attendance not to be required (RCW 42.30.040)

A member of the public shall not be required, as a condition to attendance at a meeting of a governing body, to register his name and other information, to complete a questionnaire, or otherwise to fulfill any condition precedent to his attendance.

[1971 ex.s. c 250 § 4.]

### Interruptions – Procedure (RCW 42.30.050)

In the event that any meeting is interrupted by a group or groups of persons so as to render the orderly conduct of such meeting unfeasible and order cannot be restored by the removal of individuals who are interrupting the meeting, the members of the governing body conducting the meeting may order the meeting room cleared and continue in session or may adjourn the meeting and reconvene at another location selected by majority vote of the members. In such a session, final disposition may be taken only on matters appearing on the agenda. Representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to this section. Nothing in this section shall prohibit the governing body from establishing a procedure for readmitting an individual or individuals not responsible for disturbing the orderly conduct of the meeting.

[1971 ex.s. c 250 § 5.]

### Ordinances, rules, resolutions, regulations, etc., adopted at public meetings – Notice – Secret voting prohibited. (RCW 42.30.060)

No governing body of a public agency shall adopt any ordinance, resolution, rule, regulation, order, or directive, except in a meeting open to the public and then only at a meeting, the date of which is fixed by law or rule, or at a

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meeting of which notice has been given according to the provisions of this chapter. Any action taken at meetings failing to comply with the provisions of this subsection shall be null and void.

No governing body of a public agency at any meeting required to be open to the public shall vote by secret ballot. Any vote taken in violation of this subsection shall be null and void, and shall be considered an "action" under this chapter.

[1989 c 42 § 1; 1971 ex.s. c 250 § 6.]

### Times and places for meetings – Emergencies – Exception (RCW 42.30.070)

The governing body of a public agency shall provide the time for holding regular meetings by ordinance, resolution, bylaws, or by whatever other rule is required for the conduct of business by that body. Unless otherwise provided for in the act under which the public agency was formed, meetings of the governing body need not be held within the boundaries of the territory over which the public agency exercises jurisdiction. If at any time any regular meeting falls on a holiday, such regular meeting shall be held on the next business day. If, by reason of fire, flood, earthquake, or other emergency, there is a need for expedited action by a governing body to meet the emergency, the presiding officer of the governing body may provide for a meeting site other than the regular meeting site and the notice requirements of this chapter shall be suspended during such emergency. It shall not be a violation of the requirements of this chapter for a majority of the members of a governing body to travel together or gather for purposes other than a regular meeting or a special meeting as these terms are used in this chapter: PROVIDED, that they take no action as defined in this chapter.

[1983 c 155 § 2; 1973 c 66 § 1; 1971 ex.s. c 250 § 7.]

### Schedule of regular meetings – Publication in state register – Notice of change – “Regular” meetings defined (RCW 42.30.075)

State agencies which hold regular meetings shall file with the code reviser a schedule of the time and place of such meetings on or before January of each year for publication in the Washington state register. Notice of any change from such meeting schedule shall be published in the state register for distribution at least twenty days prior to the rescheduled meeting date.

For the purposes of this section "regular" meetings shall mean recurring meetings held in accordance with a periodic schedule declared by statute or rule.

[1977 ex.s. c 240 § 12.]

Notes: Effective date – Severability – 1977 ex.s. c 240: See RCW 34.08.905 and RCW 34.08.910.

Public meeting notices in state register: RCW 34.08.020.

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### Special Meetings (RCW 42.30.080)

A special meeting may be called at any time by the presiding officer of the governing body of a public agency or by a majority of the members of the governing body by delivering personally or by mail written notice to each member of the governing body; and to each local newspaper of general circulation and to each local radio or television station which has on file with the governing body a written request to be notified of such special meeting or of all special meetings. Such notice must be delivered personally or by mail at least twenty-four hours before the time of such meeting as specified in the notice. The call and notice shall specify the time and place of the special meeting and the business to be transacted. Final disposition shall not be taken on any other matter at such meetings by the governing body. Such written notice may be dispensed with as to any member who at or prior to the time the meeting convenes files with the clerk or secretary of the governing body a written waiver of notice. Such waiver may be given by telegram. Such written notice may also be dispensed with as to any member who is actually present at the meeting at the time it convenes. The notices provided in this section may be dispensed with in the event a special meeting is called to deal with an emergency involving injury or damage to persons or property or the likelihood of such injury or damage, when time requirements of such notice would make notice impractical and increase the likelihood of such injury or damage.

[1971 ex.s. c 250 § 8.]

### Adjournments (RCW 42.30.090)

The governing body of a public agency may adjourn any regular, adjourned regular, special or adjourned special meeting to a time and place specified in the order of adjournment. Less than a quorum may so adjourn from time to time. If all members are absent from any regular or adjourned regular meeting the clerk or secretary of the governing body may declare the meeting adjourned to a stated time and place. He shall cause a written notice of the adjournment to be given in the same manner as provided in [RCW 42.30.080](#) for special meetings, unless such notice is waived as provided for special meetings. Whenever any meeting is adjourned a copy of the order or notice of adjournment shall be conspicuously posted immediately after the time of the adjournment on or near the door of the place where the regular, adjourned regular, special or adjourned special meeting was held. When a regular or adjourned regular meeting is adjourned as provided in this section, the resulting adjourned regular meeting is a regular meeting for all purposes. When an order of adjournment of any meeting fails to state the hour at which the adjourned meeting is to be held, it shall be held at the hour specified for regular meetings by ordinance, resolution, bylaw, or other rule.

[1971 ex.s. c 250 § 9.]

### Continuances (RCW 42.30.100)

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Any hearing being held, noticed, or ordered to be held by a governing body at any meeting may by order or notice of continuance be continued or recontinued to any subsequent meeting of the governing body in the same manner and to the same extent set forth in [RCW 42.30.090](#) for the adjournment of meetings.  
[1971 ex.s. c 250 § 10.]

### Executive sessions (RCW 42.30.110)

Nothing contained in this chapter may be construed to prevent a governing body from holding an executive session during a regular or special meeting:

To consider matters affecting national security;

To consider the selection of a site or the acquisition of real estate by lease or purchase when public knowledge regarding such consideration would cause a likelihood of increased price;

To consider the minimum price at which real estate will be offered for sale or lease when public knowledge regarding such consideration would cause a likelihood of decreased price. However, final action selling or leasing public property shall be taken in a meeting open to the public;

To review negotiations on the performance of publicly bid contracts when public knowledge regarding such consideration would cause a likelihood of increased costs;

To consider, in the case of an export trading company, financial and commercial information supplied by private persons to the export trading company;

To receive and evaluate complaints or charges brought against a public officer or employee. However, upon the request of such officer or employee, a public hearing or a meeting open to the public shall be conducted upon such complaint or charge;

To evaluate the qualifications of an applicant for public employment or to review the performance of a public employee. However, subject to [RCW 42.30.140](#)(4), discussion by a governing body of salaries, wages, and other conditions of employment to be generally applied within the agency shall occur in a meeting open to the public, and when a governing body elects to take final action hiring, setting the salary of an individual employee or class of employees, or discharging or disciplining an employee, that action shall be taken in a meeting open to the public;

## Whitman County Rural Library By-Laws and Policies

To evaluate the qualifications of a candidate for appointment to elective office. However, any interview of such candidate and final action appointing a candidate to elective office shall be in a meeting open to the public;

To discuss with legal counsel representing the agency matters relating to agency enforcement actions, or to discuss with legal counsel representing the agency litigation or potential litigation to which the agency, the governing body, or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency;

To consider, in the case of the state library commission or its advisory bodies, western library network prices, products, equipment, and services, when such discussion would be likely to adversely affect the network's ability to conduct business in a competitive economic climate. However, final action on these matters shall be taken in a meeting open to the public;

To consider, in the case of the state investment board, financial and commercial information when the information relates to the investment of public trust or retirement funds and when public knowledge regarding the discussion would result in loss to such funds or in private loss to the providers of this information.

Before convening in executive session, the presiding officer of a governing body shall publicly announce the purpose for excluding the public from the meeting place, and the time when the executive session will be concluded. The executive session may be extended to a stated later time by announcement of the presiding officer.

[1989 c 238 § 2; 1987 c 389 § 3; 1986 c 276 § 8; 1985 c 366 § 2; 1983 c 155 § 3; 1979 c 42 § 1; 1973 c 66 § 2; 1971 ex.s. c 250 § 11.]

Notes: Severability – Effective date – 1987 c 389: See notes following RCW 41.06.070. Severability – 1986 c 276: See RCW 53.31.901.

### Violations – Personal liability – Penalty – Attorney fees and costs (RCW 42.30.120)

Each member of the governing body who attends a meeting of such governing body where action is taken in violation of any provision of this chapter applicable to him, with knowledge of the fact that the meeting is in violation thereof, shall be subject to personal liability in the form of a civil penalty in the amount of one hundred dollars. The civil penalty shall be assessed by a judge of the superior court and an action to enforce this penalty may be brought by any person. A violation of this chapter does not constitute a crime and assessment of the civil penalty by a judge shall not give rise to any disability or legal disadvantage based on conviction of a criminal offense.

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Any person who prevails against a public agency in any action in the courts for a violation of this chapter shall be awarded all costs, including reasonable attorney fees, incurred in connection with such legal action. Pursuant to [RCW 4.84.185](#), any public agency who prevails in any action in the courts for a violation of this chapter may be awarded reasonable expenses and attorney fees upon final judgment and written findings by the trial judge that the action was frivolous and advanced without reasonable cause.  
[1985 c 69 § 1; 1973 c 66 § 3; 1971 ex.s. c 250 § 12.]

### Violations – Mandamus or injunction (RCW 42.30.130)

Any person may commence an action either by mandamus or injunction for the purpose of stopping violations or preventing threatened violations of this chapter by members of a governing body.  
[1971 ex.s. c 250 § 13.]

### Chapter Controlling – Application (RCW 42.30.140)

If any provision of this chapter conflicts with the provisions of any other statute, the provisions of this chapter shall control: PROVIDED, that this chapter shall not apply to:

The proceedings concerned with the formal issuance of an order granting, suspending, revoking, or denying any license, permit, or certificate to engage in any business, occupation, or profession or to any disciplinary proceedings involving a member of such business, occupation, or profession, or to receive a license for a sports activity or to operate any mechanical device or motor vehicle where a license or registration is necessary; or

That portion of a meeting of a quasi-judicial body which relates to a quasi-judicial matter between named parties as distinguished from a matter having general effect on the public or on a class or group; or

Matters governed by [chapter 34.05 RCW](#), the Administrative Procedure Act; or

Collective bargaining sessions with employee organizations, including contract negotiations, grievance meetings, and discussions relating to the interpretation or application of a labor agreement; or

that portion of a meeting during which the governing body is planning or adopting the strategy or position to be taken by the governing body during the course of any collective bargaining, professional negotiations, or grievance or mediation proceedings, or reviewing the proposals made in the negotiations or proceedings while in progress.

[1990 c 98 § 1; 1989 c 175 § 94; 1973 c 66 § 4; 1971 ex.s. c 250 § 14.]

Notes: Effective date – 1989 c 175: See note following [RCW 34.05.010](#).

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Drug reimbursement policy recommendations: [RCW 43.20A.365](#). Mediation testimony competency: [RCW 5.60.070](#) and [5.60.072](#).

### Governing body of recognized student association at college or university – Chapter applicability to (RCW 42.30.200)

The multimember student board which is the governing body of the recognized student association at a given campus of a public institution of higher education is hereby declared to be subject to the provisions of the open public meetings act as contained in this chapter, as now or hereafter amended. For the purposes of this section, "recognized student association" shall mean any body at any of the state's colleges and universities which selects officers through a process approved by the student body and which represents the interests of students. Any such body so selected shall be recognized by and registered with the respective boards of trustees and regents of the state's colleges and universities: PROVIDED, That there be no more than one such association representing undergraduate students, no more than one such association representing graduate students, and no more than one such association representing each group of professional students so recognized and registered at any of the state's colleges or universities. [1980 c 49 § 1.]

### Short title (RCW 42.30.900)

This chapter may be cited as the "Open Public Meetings Act of 1971". [1971 ex.s. c 250 § 16.]

### Construction – 1971 ex.s c 250 (RCW 42.30.910)

The purposes of this chapter are hereby declared remedial and shall be liberally construed. [1971 ex.s. c 250 § 18.]

### Severability – 1971 ex.s. c 250 (RCW 42.30.920)

If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected. [1971 ex.s. c 250 § 19.]

## **2 ADMINISTRATION**

### **2.1 Cash Handling Policy**

This policy describes the proper handling of all monies collected by Whitman County Library staff as well as petty cash procedures and reconciliation procedures. A clear cash handling policy is necessary to protect the staff from charges of mishandling funds and to facilitate fund recovery in the event of a crime.

#### Collecting fund from patrons:

Upon receiving funds from the public at the main branch in Colfax, the staff will immediately deposit the funds in the cash register under the appropriate fund number. At branches, the staff will put any money received from patrons along with receipts in an envelope and include in their next mailing to Colfax.

Receipts shall be written for all fines, lost books and charges on their Library Account in Horizon. Payment of charges should be noted on their library account. Receipts for smaller amounts that include copies or using the fax machine are optional, but staff will write one upon request.

#### Reconciliation:

The cash register at the main branch in Colfax will be closed out at the beginning of the day by designated staff. They will count the money and reconcile to the cash register receipt. They will leave \$29.10 in the drawer, which was the beginning balance. The receipt and money will be taken to the business manager's office and locked in the desk drawer.

Branches will send in their receipts and money to the Branch Supervisor every time they mail items to Colfax. The Branch Supervisor will reconcile the receipts, verifying payment in Horizon patron accounts. The receipts and money are kept in a locked drawer until given to the business manager.

#### Deposits:

The business manager will create spreadsheets for both cash register receipts and branch receipts, reconciling both. She will also prepare deposit slips to the Whitman County Treasurer's Office.

Deposits will be made weekly, as a general rule.



## 2.2 Purchasing Policy

In purchasing supplies, equipment and services, it is the policy of the Whitman County Rural Library District to make every attempt to obtain maximum quality at minimum cost in a timely manner. The District's Director, as its purchasing agent, shall use the following guidelines:

Direct Purchasing:

Any item or group of identical items valued at less than \$5,000 may be purchased directly from a supplier, taking into account buyer experience and knowledge of the market to achieve maximum quality at minimum cost.

Competitive Bidding:

For any item or group of identical items whose value is \$40,000 or more, a formal sealed bid procedure shall be used as standard procedure.

Competitive bidding shall be solicited by public notice. Bids may be solicited from any source thought to be of advantage to the district and shall be in writing.

Contracts shall be awarded to the lowest responsible bidder, taking into consideration the quality of the articles proposed to be supplied, their conformity with specifications, the purposes for which required, and time of delivery. Whenever there is reason to believe the lowest acceptable bid is not the best price obtainable, all bids may be rejected and the Director may call for new bids or enter into direct negotiation to achieve the best possible price. Each bid with name of the bidder shall be recorded, with the successful bid indicated and shall, after letting of the contract, be open to public inspection.

In determining "lowest responsible bidder," in addition to price, the following elements shall be given consideration:

The ability, capacity and skill of the bidder to perform the contract or provide the service required.

The character, integrity, reputation, judgment, experience and efficiency of the bidder.

Whether the bidder can perform the contract within the time specified.

The quality of performance of previous contracts or service.

The previous and existing compliance by the bidder with laws relating to the contract or services.

Such other information as may be secured having a bearing on the decision to award the contract.

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The District may reject the bid of any bidder who has failed to perform satisfactorily on a previous contract.

If there is no response from vendors to a request for bids, or if the response is limited to the extent that the District does not have an appropriate choice of options, the District may either re-advertise for bids or negotiate directly with a vendor.

In the bidding process, the District may require a bidder to obtain a bond or bonds or a District-approved substitute payable to the District in such amount with such surety or sureties as determined by the District conditioned that the bidder will fully, faithfully, and accurately execute the terms of the bid and/or subsequent contract. The bond or bonds shall be filed in the District's business office.

### Exceptions to Quotations or Competitive Bidding:

Quotations or formal sealed bidding shall not be necessary for:

Emergency purchases, if such sealed bidding procedure would prevent or hinder the emergency from being appropriately met.

Purchases which are clearly and legitimately limited to a single source of supply and purchases involving special facilities services, or market conditions, in which instances the purchase price may be best established by direct negotiation.

Purchase of library materials, including but not limited to books, periodicals, pamphlets, cassette tapes, films, and microfilms.

Purchases of insurance and bonds.

Purchase of repair and maintenance services by a manufacturer's representative.

Purchase of bibliographic services from Sirsi Dynix, OCLC, etc.  
Items purchased through a purchasing contract with the State of Washington, a political subdivision of the State of Washington under the Interlocal cooperation Act (RCW 39.34.010), or from Central Stores, Purchasing Division, Department of General Administration, State of Washington.

### Procurement of Architectural and Engineering Services:

The District shall publicly announce requirements for architectural and engineering services and negotiate contracts for such services on the basis of demonstrated competence and qualification for the type of professional services required and at fair and reasonable prices (RCW 39.80). This policy shall apply only to such services whose value is estimated to be \$5,000 or more, following the District's procedures for competitive bidding.

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### Use and Control of Credit Cards by Library Employees:

#### Distribution:

Credit cards may be distributed to those Library employees who, in the opinion of the Director, have job responsibilities which would cause their job performance to benefit by use of a credit card.

#### Authorization and Control:

Authorized employees may use the credit card for purchasing items in the budgeted category in which they are responsible or other areas approved by the Director. To be used only if other payment options are not available.

#### Credit Limits:

Employees shall get approval from the director for credit card purchases beyond their normal budget limit responsibility.

#### Personal Charges Not Authorized:

Personal charges may not be made with library credit cards. Any charges which cannot be properly identified or which are not properly allowed shall be paid promptly by the card user by check and, together with interest and all other charges made by the credit card company, shall constitute a prior lien against all amounts owed by the city to the card user until paid in full.

#### Reporting:

Credit card charges for approved purchases need to be signed and forwarded to the Business Manager within seven working days of the purchase.

### Food Purchase Policy:

The library offers community programs, events, and meetings to support its mission. On occasion, these activities may require that food and beverages be purchased from library funds.

The library may purchase food and beverages and serve them in connection with library sponsored activities, events, and meetings at the discretion of the Director or designee.

The purchases shall be reasonable and abide by the library's purchasing policies and procedures. The purchase of alcoholic beverages with library funds is not allowed.

## Whitman County Rural Library By-Laws and Policies

### 2.3 Fixed Assets

Resolution No: 21-22

Authorized by: Board of Trustees

Approved Date: August 17, 2021

Effective Date: September 1, 2021

Review Date: August 2024

Supersedes: Disposition of Surplus Property Policy

The purpose of this policy is to establish criteria for the identification, depreciation, inventory, safeguarding, and disposition of the Whitman County Rural Library District's fixed and controlled assets in accordance with *RCW 27.12.210*.

#### Fixed Assets

Fixed (or capital) assets are defined as all real property or personal property used for operations with an individual, per-unit cost of \$5,000 or more (including installation, accessories, sales tax, and shipping) and with an estimate useful life of one (1) year or longer. Fixed assets may be purchased by the District or received as a gift.

Fixed assets may include, but are not limited to: land and land rights, buildings, furnishings, fixtures, equipment, machinery, vehicles, and tools.

#### Controlled Assets

Controlled assets are individual assets that do not meet the fixed assets threshold, but are considered particularly vulnerable to loss. Controlled assets have an estimated useful life of one (1) year or longer, and have a per-unit cost of:

- Between \$300 and \$5,000 for computer laptops, notebooks, and similar mobile devices.
- Between \$1,000 and \$5,000 for all other controlled assets.

Controlled assets may include, but are not limited to: desktop computers, printers, laptops, monitors, televisions, photography equipment, mobile devices, and server room equipment.

#### Grant Funds

Fixed and controlled assets acquired by grant funds from other governmental agencies will be identified based on the requirements of the grantor. The District's Business Manager is responsible for meeting all requirements of grantors in regard to the purchase, use, and disposition of assets purchased with these funding sources.

#### Library Materials

Physical materials such as books, DVDs, CDs, and other library collection materials intended for customer use are not considered fixed or controlled assets for the purposes of this policy.

#### Depreciation

In accordance with the Budgetary, Accounting and Reporting System (BARS) for Library Districts, fixed and controlled assets are expensed during the year of acquisition. There is no

## Whitman County Rural Library By-Laws and Policies

capitalization of assets, nor allocation of depreciation expense. Inventory, including library materials, is expenses when purchased.

### Inventory

A physical inventory of all fixed and controlled assets will be performed on a regular basis. All fixed and controlled assets will be tagged and an asset inventory will be maintained.

### Protection, Safeguarding and Maintenance

The District is responsible for the safeguarding, custody, insurance, and maintenance of fixed and controlled assets. Responsibility for safeguarding and maintenance are assigned as follows:

- The manager of the location in which fixed assets and/or controlled assets reside is responsible for the maintenance and security of those assets.
- Technology Services is responsible for the protection, maintenance, and security of controlled assets such as computers, monitors, laptops, and all server room equipment.

### Disposition of Assets

When it is determined that a fixed, controlled, or other asset is no longer needed for purposes of the District or an asset has been stolen or destroyed, the District will declare those assets to be surplus. The Board of Trustees must approve the disposition of all fixed assets prior to the asset being removed from the inventory as follows:

- Fixed assets with a value exceeding \$50,000 may only be declared surplus by resolution, following a public hearing in accordance with *RCW 39.33.020*.
- Fixed assets with a value between \$5,000 and \$50,000 may only be removed from the inventory by a motion of the Board.

Disposition of controlled and other assets with a value less than \$5,000 do not need formal approval by the Board, and they may be declared surplus and disposed of by the responsible manager.

Estimated values will be determined by the board, based upon recommendation by the Director and/or knowledge of Board members. Determining value may require the services of an outside expert opinion.

Once an asset has been declared surplus, the District can remove the asset from inventory and may then sell, donate, or dispose of the asset in the most efficient, cost-effective, and commercially reasonable manner. Items will be sold or donated “as is” with no warranties made or implied as to the fitness of the item for any intended use or as to its condition. Assets declared surplus may not be donated to an individual or public or private organization except as specified under Article VIII, Section 7, of the Washington State Constitution.

The Director, or their designee, is authorized to accept trade-in allowances on any surplus item being replaced or upgraded for which a trade-in allowance is offered, in accordance with the District’s *Purchasing Policy*.

Only assets having more than a nominal monetary value will be formally declared surplus. Other assets that are obsolete, broken, or of nominal or no value for other reasons may be disposed of

## Whitman County Rural Library By-Laws and Policies

in the most efficient and cost-effective manner upon approval of the responsible manager. Prior to disposal, items listed on the Districts assets inventory shall be removed from the inventory and property tags shall be removed.

Board members and District employees are prohibited from purchasing or otherwise receiving any fixed or controlled assets in the disposition of surplus property.

### Disposition of Library Materials

Surplus library materials with an estimated value in excess of \$1,000 shall be disposed of at a public auction in accordance with *RCW 39.33.070(1)*.

Surplus library materials with an estimated value of \$1,000 or less shall be sold in accordance with *RCW 39.33.070(2)*.

Surplus library materials determined to have no value will be recycled, if possible, or otherwise destroyed in accordance with *RCW 39.33.070(3)*.

### Funds

All monies received from the sale of surplus items shall be returned to the General Fund of Whitman County Rural Library District.

## 2.4 Public Records Policy

Whitman County Rural Library District (WCL) follows the requirements of RCW 42.56 Public Records, commonly known as the Public Records Act.

### Definitions:

A public record, as defined in the RCW, includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any state or local agency regardless of form or characteristics, except as there exempted. The definition of a public record contains three elements, (WAC 44-14-03001):

The record must be a “writing,” which is broadly defined to include any recording of any communication, image, or sound. A writing includes not only conventional letters and memoranda, but also emails, videos, photos, and computer data. (RCW 42.56.010).

The writing must relate to the conduct of government or the performance of any governmental or proprietary function.

The writing must be prepared, owned, used, or retained by the agency.

### Requests:

WCL encourages requests either for inspection or for copies of public records to be in writing addressed to the Public Records Officer and may be made in person to the WCL business office at 102 S. Main, Colfax WA. Requests can also be made by mail, email, or fax. Individuals asking for public records information will receive a response within five (5) business office working days from the receipt of the request. The response will include one of the following (RCW 42.56.520):

Response to the request;

Acknowledging the receipt of the request and an estimate of additional time needed to produce the information requested;

Clarify the request

Locate records to respond to the request

Contact a third party affected by the request

Determine whether any records are covered by an exemption and should not be disclosed in whole or in part

Denial of the request based on specific exemption authorizing the withholding of the record (or part) and a brief explanation of how the exemption applies to the record withheld. RCW 42.56.210(3). Public records shall be available for inspection and copying during regular library hours.

### Access to Public Records:

Responding to public records requests is one of the library’s essential functions.

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There is no charge for inspection of or locating public documents.

Similar to WCL's other essential functions, the staffing and resources that WCL can devote to responding to public records requests are necessarily limited by budgetary constraints as just 12 FTE's staff 14 locations.

In order to avoid excessive interference with other essential functions of the library and in light of these constraints, the Whitman County Library Board of Trustees has established that not more than two hours per week of staff time can be devoted to responding to public records requests. This amount is approximately  $\frac{1}{4}$  of 1% of Whitman County Library's annual budget and the amount is in line with a number of agency policies within the region.

The Library's Business Manager has been designated as the Public Records Officer for the library district and is responsible for overseeing the library's compliance with the public records disclosure requirements.

### Fees:

RCW 42.56.120 allows for a reasonable charge for printed copies to be imposed for producing copies of public records. All copies of public records will incur a charge equal to the library's public copying per page fee along with fees for staff member's time to reproduce (prorated from actual salaries), cost of packaging and postage. For items saved to CD or other media, actual cost of the media storage will be relayed to the requester. Payment must be received prior to producing and/or mailing the information.

### Exemptions:

Any library record used to maintain control of library materials, or to provide access to information, that discloses or could be used to disclose the identity of a library user or to identify specific library users with specific library materials or information requests, is exempted from public disclosure to protect user privacy by RCW 42.56.]

Certain other exemptions, including personnel matters, items relating to land acquisition, labor negotiations, and donor identification are defined in the R.C.W. If any item is withheld, the specific exemption that authorizes such withholding will be cited and an explanation will be provided by the Public Records Officer.

### Implementation:

This policy will be implemented by the Public Records Officer, as delegated by the Library Executive Director. The Public Records Officer is expected to make every effort to apply these rules in a fair, reasonable, humane, and positive manner.



## **2.5 Procedures for Responding to Requests from Law Enforcement Officers for Patron Records**

There are, on occasion, times when law enforcement officers from the local, state, or federal level may approach Whitman County Library staff with requests for information about patrons' use of the library and its resources. It is our policy that law enforcement agencies must obtain a court order or present a signed Subpoena Duces Tecum or a warrant from their jurisdiction's authority. In the case of officers from the Federal Bureau of Investigations, the request may also come in the form of a search warrant issued under the USA Patriot Act Amendment. Any staff members who are approached by law enforcement officers should use the following guidelines.

When Visited by Law Enforcement Person:

Ask them for their identification to ensure that they are official law enforcement officers.

Ask to see their court order. Choose the appropriate steps below depending on their response:

If no court order, subpoena, or warrant are presented:

Do not provide information being requested.

Assure officer/agent that, while we do comply with the law, procedures must be followed.

Refer officer/agent to the library director, associate director, or person in charge in Colfax.

If the court order is in the form of a subpoena:

Refer any person attempting to serve legal documents relating to a court order, summons, and complaint or subpoena to the director, associate director, or person in charge in Colfax.

If the court order is in the form of a search warrant:

Information or property identified in a warrant must be available immediately.

Ask agent/officer to give warrant to the director, associate director, or person in charge.

Supervisory may ask agent to have library counsel present before the search begins to assure that the search conforms to the terms of the search warrant.

Director, associate director, or person in charge will direct the warrant immediately to legal counsel.

Do not interfere with the agent's search or seizure.

Make a list of all items removed from the facility.

If the court order in the form of a search warrant issued under the USA Patriot Act Amendment (Foreign Intelligence Surveillance Act, FISA):

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Same procedure as for a search warrant except there is a *gag order*. No information can be disclosed to any other party, including the patron whose records are the subjects of the search warrant. You must comply with this order.

Call the director, associate director, or person in charge, to get legal assistance.

If unable to reach the director, associate director, or person in charge, contact the library's legal counsel immediately. Gary Libey 509-397-4345.

### **3 Collection Development**

#### **3.1 Collection Development Policy**

##### Purpose

The purpose of this policy is to guide library staff and to inform the residents of Whitman County about the principles upon which materials selections are made. The policy was written to define the standards and to outline the responsibilities for materials selection. Within the following guidelines, staff members must use their professional judgment to determine which materials best meet the objectives of the library system and the needs of its patrons.

Purchase of materials shall be in harmony with the General Library Goals as established by the Whitman County Library Board of Trustees and will reflect objectives established in the Board's five-year plan.

The word "materials" has the widest possible meaning; it may include books (hardbound and paperbound), objects, pamphlets, maps, periodicals, newspapers, audio, video formats, downloadable collections, and other non-print materials.

"Selection" refers to the decision that must be made to add a given item to the collection or to retain one already in the collection. It does not refer to guidance in assisting a library patron.

##### Audience and User Groups:

###### Adult Patrons:

The materials in the adult collection are selected primarily to serve the needs of adult patrons.

###### Children and Young Adults:

The materials in the children's collections are selected to serve the needs of toddlers, pre-school age children, school age children, middle school and high school students, and young adults.

Books and materials in the children's collection include non-book materials, picture books, audio books, beginning readers, juvenile non-fiction, and juvenile fiction.

At the library, children and young people have access to all books in the system. It is the responsibility of the parent or guardian to oversee their selection of materials, as staff does not monitor selection of material.

###### Branch Patrons:

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Materials in branch libraries are based upon rotating collections from the general collection. Materials are selected for branch libraries by headquarters staff and branch personnel.

Branch patrons are able to request any circulating item from WCL.

Periodical selection is influenced by the size and character of the community served and by the availability of space and funds.

### Library and School Relationship:

In general, the school library should be considered as the primary resource for the student's assignments. The public library should provide materials for additional study, research, and the creative use of leisure time.

While students from public schools, private schools, institutions of higher learning, and home-schooling programs are actively encouraged to use Whitman County Library System, it should be noted that it is not possible for the library to purchase materials specific to curricula. It is library policy to purchase materials which will supplement and complement offerings of school libraries within the library district.

### Use of the library's collection:

The Library Board recognizes that many materials are controversial and that any given item may offend some patrons. Selection will not be made on the basis of any assumed approval or disapproval, but solely on the merit of the work as it relates to the library's objectives and serves the expressed or anticipated needs and interests the community.

Library materials will not be marked or identified to show approval or disapproval of the contents, and nothing will be sequestered except for the express purpose of protecting it from injury or theft.

The use of rare or scholarly items of great value will be controlled to the extent required to preserve them from harm.

Responsibility for the reading of minors rests with their parents and legal guardians. Selection of adult materials will not be limited by the possibility that materials may come into the possession of minors.

Patrons not finding desired materials in the library's collection may request that the item be borrowed through interlibrary loan or that it be purchased. Patrons wishing to request such materials should fill out a standard request for materials form. (4.2 Interlibrary Loan Policy).

### Responsibility for Selection:

The final responsibility for all selection of materials rests with the Director as authorized by the Library Board.

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Selection of materials is vested in the Director, and under his or her direction, in members of the staff who are qualified by reason of education and training. Materials are selected in accordance with library policy.

Suggestions for materials to be purchased are always welcome from patrons, Board, and staff members.

### Criteria for Selection:

The general criteria considered in selecting and purchasing materials include:

- Significance and permanent value to the existing collection.

- Qualifications of author or producer.

- Suitability of subject and style for intended audience.

- Quality of format.

- Availability of materials in the subject and balance of materials currently available in the collection.

- Demand by patrons.

- Attention given to the item by reviewers and general news media.

- Availability of materials at other libraries.

- Price – extremely expensive materials, regardless of quality or favorable reviews, are often beyond the limits of the library budget.

- Quality of translation.

### Selection Tools:

Since it is impossible for librarians to examine all items being considered for purchase, it is necessary to depend on reliable selection aids. These sources may include:

- Library Journal

- Booklist

- Wilson Library Bulletin

- School Library Journal

- Publisher's Weekly

- New York Times Book Review

- Kirkus

- Horn Book

- Kliatt

- Patron requests for recommendation

- Bibliographers and other selective lists published by library, educational, and scientific organizations.

### Procedures for Selection:

- Reviews are read.

- Patron requests are evaluated for purchase

- The number of copies purchased is determined by demand and budgetary factors.

## Whitman County Rural Library By-Laws and Policies

The amount of money available for expenditure also determines the number of items and copies to be ordered.

Materials may be rejected for purchase for the following reasons:

- Lack of demand
- Inappropriate for collection
- Sufficient titles on the subject already available in collection
- Negative reviews
- No reviews available
- Too expensive or other budget constraints
- Format is inappropriate for collection
- Too specialized or technical to appeal to a broad audience.

Materials are ordered from a wide variety of vendors. Generally, an item will be ordered first through vendors who provide the best discount. If the item is unavailable through the vendor, it will then be ordered direct from the publisher or producer. Materials may be purchased through local bookstores if the item is needed immediately or if the item is not available through the regular vendor.

The library does not participate in preview programs. Exceptions may be made only with the permission of the Director.

The library participates in selected book clubs or purchase plans authorized by the Director. Participation in a book club should be based on savings to the library or on acquisition of materials not readily available in another manner.

The library may subscribe to standing order plans as authorized by the Director.

### Scope of Collection:

Through careful selection the library attempts to maintain a balanced collection of quality materials, including items of contemporary significance and permanent value, as well as a sampling of current social issues and ephemeral items.

Although the needs of the library district patrons are the major factor in the choice of materials, all subject areas, including religion, politics, sex education, as well as social, moral, economic, and scientific issues are considered for selection in order to maintain a well-balanced collection.

Since the library serves patrons with a wide range of ages, educational backgrounds, and reading skills, an attempt is made to select materials of varying complexity.

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Given the proximity of Washington State University and the University of Idaho, the library will not attempt to purchase materials aimed at serious academic research at the graduate level.

### Collection Maintenance:

#### Replacement:

Worn items still in heavy use may be rebound or replaced at the discretion of the Director or designee.

All items are not automatically replaced. Replacement depends on usage, whether the item is in print, the existence of similar materials in the collection, and the availability of newer materials.

#### Weeding:

In order to maintain the best possible collection weeding is continual.

Items are discarded if they are outdated, if they no longer circulate, if there are more duplicate copies than are needed, or if they are in poor physical condition.

Books of historical significance will be retained in the collection.

A complete weeding of the entire collection shall be accomplished every five (5) years.

Items discarded are plainly marked "WITHDRAWN" and/or recycled.

The Board of Trustees have authorized discarded material to be given to the Friends of WCL for their sale.

#### Controversial Materials:

The criteria for selecting controversial materials are the same as for any other materials.

Controversial materials have no distinguishing labels and are shelved in the general collection.

Please see (8.4 Intellectual Freedom Policy) in this manual.

### **3.2 Donations and Gifts**

#### Donations of Materials:

Donations of high quality books, magazines and other library materials are encouraged.

The Library accepts donated materials with the understanding that these materials will not necessarily be added to the library collection.

Donated materials are evaluated at headquarters to determine whether they will be added to the library collection, sold at the Friends of the Library book sale, used in some other manner, or discarded.

All materials are evaluated following the library's collection development policies.

Donated materials are made available for use throughout the library system.

#### Donations of Personal Property:

Personal property, art objects, portraits, antiques and other museum objects are accepted at the discretion of the Director and/or the Board. Artwork becomes the property of the library district and is subject to existing policies should disposition of the property become necessary. Once accepted, the donor releases all rights of ownership for the item(s).

#### Naming Library Buildings and Facilities:

All branches of Whitman County Library are named and identified by location, as this is most effective in helping library users identify where library services are available and which library is most convenient for their use. All signage, provided by the library district, will reflect the location names and Whitman County Library branding.

For facilities not owned by the library district, the naming or dedication of a building is left to the discretion of the building's owner, which is generally a town or city entity. The district is not responsible for signage or usage of building names.

Persons or groups who have made a significant financial or other contribution to the development of library services may be honored by applying their name to a portion of a facility, e.g., a community room, reading alcove or materials collection. Because the library encourages donations from the private sector, this policy allows for permanent recognition of such donations when they are deemed significant.

All names changes to portions of a facility, or any buildings owned by the district, must be approved by the library director and the Board of Trustees.



## Whitman County Rural Library By-Laws and Policies

Furniture, equipment, and materials can be purchased by the library in honor of financial donations, memorials, or in-kind library contributions with honorees being recognized with a plaque or special signage. These honors or special designations may only last for the lifetime of the item and the library is not responsible for maintaining it beyond this time period.

Artwork may be donated to the library and accepted at the discretion of the library director and/or the branch coordinator for branch locations. Gift plates or plaques can be utilized to recognize the donor. Artwork becomes the property of the library district and is subject to existing policies should disposition of the property become necessary.

### Monetary Gifts:

The library shall accept gifts, bequests, and memorials. Donors will be encouraged to give to the Whitman County Library, Whitman County Library Foundation, or Friends of the Whitman County Library.

The library will accept cash gifts for the purchase of materials or periodical subscriptions. These donations must meet the library's collection development policies.

Library employees shall not accept personal gifts valued at \$50 or more, that result from their employment with Whitman County Library, as outlined in RCW 42.52.150.

### **3.3 Procedure for Reconsideration of Library Materials:**

The Director or other staff member will give the patron the form entitled "A Citizen's Request for Reconsideration of Library Materials" (see following page).

The completed form, along with notes of any oral interviews with the patron will be referred to the Director.

The material in question will be reviewed by one or more staff members and professional reviews will be checked if possible.

Within two (2) weeks a written or oral reply of the Director's decision to retain or discard the materials will be made to the patron.

If the patron is not satisfied with this response, he/she may bring the matter before the Library Board.

Whitman County Library subscribes to the provisions of the Library Bill of Rights, the Washington Library Association Intellectual Freedom Statement and the Freedom to Read Statement as adopted by the American Library Association. These documents are included in the Appendices of this policy.

All individuals have the right to choose which library materials they will use. However, no one has the right to restrict the freedom of others to read, view or listen to their choice of materials.

No book or other library material is automatically removed from the collection because of an objection to it.

Whitman County Rural Library By-Laws and Policies

**Request for Reconsideration of Materials Form**

Title: \_\_\_\_\_

Author: \_\_\_\_\_

Format (book, video, other): \_\_\_\_\_ Publisher (if known): \_\_\_\_\_

Request initiated by: \_\_\_\_\_

Telephone: \_\_\_\_\_ Address: \_\_\_\_\_

City/State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Client Represents: ☐ Himself/Herself ☐ Organization/Name: \_\_\_\_\_

Did you read the cover letter outlining Whitman County Library's role as a public library and its commitment to the principles of intellectual freedom?

Have you read the entire book (if not a book, viewed or listened to the item in its entirety)? If not, what parts?

Why do you disapprove of this material? (Be as specific as possible.)

How do you suggest the library deal with this matter?

Can you suggest an alternative to take its place?

Signature of citizen: \_\_\_\_\_ Date: \_\_\_\_\_

Name of receiving staff member: \_\_\_\_\_

Please forward this completed form and the material in question to:

Director - Whitman County Library  
S. 102 Main Colfax, WA 99111

## 4 Circulation

### 4.1 Circulation Policy

Whitman County Rural Library District (WCL) provides free and equal access to library materials. WCL applies the same privileges, responsibilities, and fees to all Library cardholders, no matter which library branch originally issued their library card. The Library maintains a Circulation Policy and applicable procedures to ensure that all patrons are provided with consistent and equitable services from Library staff and that every patron has clear expectations of their rights as a WCL cardholder.

#### Registration and Eligibility:

Persons of any age may acquire a library card with WCL. Photo ID and proof of current address are required for all persons registering for a library card. All patrons are to immediately notify the Library of any changes to their personal information.

WCL issues a variety of library cards, including, but not limited to:

- Juvenile Resident
- Adult Resident
- Family Resident
- Adult Non-Resident
- Adult Non-Resident Fee
- Provider

Juvenile, Adult, and Family Resident cards are available at no cost to all residents and property owners within WCL's service area, which is defined as all of Whitman County excluding the City of Pullman. A juvenile is defined as a minor age birth to 17. A family is defined as two or more immediate family members residing within the same household.

Adult Non-Resident cards are available at no charge for residents of the City of Pullman or Latah County. Adult Non-Resident Fee cards are available for residents living outside the Library's service area who do not qualify for an Adult Non-Resident card. An annual fee is established by the Board of Trustees and must be paid before receiving a library card. See the *Fee Schedule* for more information.

Provider cards are available to assisted living workers, teachers, childcare providers, homeschool parents, and other similar providers who live or work within the Library's service area. The individual who completes the registration commits the institution to financial responsibility for any materials checked out on the card, and possession of a Provider card by an individual implies permission and authority to use the card.

## Whitman County Rural Library By-Laws and Policies

A parent or legal guardian's signature is required on a juvenile library card registration form. The parent/legal guardian is ultimately responsible for any lost, damaged or overdue items checked out on a juvenile's account. The parent/legal guardian is responsible for monitoring the reading, listening, and viewing choices of the juvenile cardholder. Parent/legal guardian permission is required for juvenile access to the library's internet using a library computer.

### Borrowing Privileges and Responsibility:

Patrons must present their library card before items can be checked out from the Library. Patrons are responsible for knowing when their items are due.

Cardholders are responsible for the safekeeping and use of their card, including all items and fees charged to their account, unless the card has been reported lost or stolen. Lost, stolen, or damaged cards will be replaced by the Library at no cost to the patron.

Cardholders are only allowed one WCL card in their name. If upon application for a library card the Library finds that an applicant has a pre-existing account, the applicant must update the information on the existing account and settle any outstanding fines or fees.

### Loan Periods and Limits:

Popular DVDs may be borrowed for one week, devices for outside library use may be borrowed for two weeks, and most other library items may be borrowed for three weeks. WCL may assign different loan limits for designated collections.

New Juvenile and Adult cardholders may borrow up to 10 items at a time for the first three months, and new Family and Provider cardholders may borrow up to 20 items at a time for the first three months. Provided that the patron is in good standing with no overdue items or unpaid fines or fees, their card will be upgraded to full borrowing privileges after three months. At that time, Juvenile and Adult cards may borrow up to 25 items at a time, and Family and Provider cardholders may borrow up to 50 items at a time.

Juvenile cardholders cannot check out DVDs. Other items may be restricted for checkout to certain cardholder types.

The limits on the number of items checked out on one card are:

	Books	Audiobooks	DVDs	CDs	Magazines	Library of Things
Juvenile	Up to 25	3	n/a	5	5	2
Adult	Up to 25	3	4	5	5	2
Family	Up to 50	6	8	10	10	4
Provider	Up to 50	6	8	10	10	4

## Whitman County Rural Library By-Laws and Policies

Patrons can also check out up to 5 eBooks or downloadable audiobooks from the Washington Anytime Library. This is in addition to the limits above.

Due dates for items borrowed through interlibrary loan are determined by the lending library and there are limits on the number of interlibrary loans a cardholder may request. See the *Interlibrary Loan Policy* for more information.

### Returning Items:

All library materials may be returned to any of the Library's branches, except for devices which must be returned in person. Items may be returned via book drop when a branch is closed, but will not be checked off the patron's account until the branch is open next.

### Renewals:

An item may be renewed up to two times for the original loan period unless a hold has been placed on the item. Exceptions may apply for designated collections. Renewals can be requested by contacting any library branch or through the library's online catalog. Items will not be renewed automatically.

### Requests and Holds:

WCL patrons have access to the collections of all branches in the Library District. Patrons may request in person at any library branch, by telephone, or through the library's online catalog that materials from another branch be delivered to their branch of choice.

Patrons can request an unlimited number of items at a time. Patrons will be notified by telephone or email when their requested items become available. After they have been notified, items will be held for the patron at their designated pickup library for two (2) open days for popular DVDs and ten (10) open days for all other library materials. If the patron fails to contact the Library to make other arrangements or to cancel the hold, the hold will be suspended. The Library reserves the right to cancel reserves that are older than 30 days that have not been fulfilled.

Items not found in the Library's collection can be requested by contacting any library branch or by filling out the request form on the library website. See the *Collection Development Policy* for more information.

### Non-Circulating Materials:

Reference materials and local history materials are not available for checkout.

### Library Notifications:

While patrons are expected to know the due dates of borrowed materials, the Library will attempt to provide courtesy reminder notifications. Lack of

## Whitman County Rural Library By-Laws and Policies

notification for overdue materials does not constitute grounds for dismissal of fees.

### Notification Schedule

2 Days Before Due Date	Courtesy Reminder
1 Day Late	First Overdue Notice
15 Days Late	Final Overdue Notice
1 Month Late	Item Status Changed to "Lost" and Bill Notice Mailed
4 Months Late	First Notice of Intent to Collections
5 Months Late	Final Notice of Intent to Collections
6 Months Late	Item Status Changed to "Deleted" and Bill Submitted to Collections Agency

These notices may be in the form of print, email, SMS, or phone call.

### Fines and Fees

WCL encourages patrons to respect the terms of loan agreement and to handle borrowed materials responsibly and with care for the benefit of all library users.

Late fines for popular DVDs are assessed at \$1.00 per day, up to \$10.00 total. There are no late fines for other library materials.

Patrons who lose an item will be mailed a bill notice for the replacement price of the item plus a processing fee.

If a lost item is returned in good condition within six (6) months after a patron is billed, the replacement cost will be removed from the account, but the patron is still responsible for the processing fee. If a patron pays for a lost item and then returns it within six (6) months, WCL will refund the replacement price but not the processing fee. If the lost item is not returned within six (6) months, the patron is fully responsible for the replacement price and processing fee.

At the discretion of library staff, severely damaged items will be disposed of upon return and the patron will be charged the replacement price and processing fee. Damaged items become the property of the patron upon payment.

Patrons are responsible for costs related to replacement of missing parts in multiple item sets. These charges vary depending on the replacement price of the item that is missing.

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The Library does not accept replacement copies of lost or damaged items or parts in lieu of payment.

Borrowing privileges are suspended for patrons owing more than \$10.00 in outstanding charges or who fail to pay for or return billed items. When the outstanding balance on an account falls below \$10.00, suspended privileges are restored.

Patrons owing \$25.00 or more for the replacement of a lost item will be sent to a collections agency. Once an account has been turned over to collections, there will be no waiver of fees even if they return their materials within six (6) months.

WCL may waive some fines and fees for patrons who have experienced bankruptcy, fire, hospitalization, theft, or similar emergencies. Patrons may be asked to provide supporting documentation and appeals will require review by the Library Director or their designee.

### Claims Returns:

Patrons are limited to three "claims return" claims at a time. A "claims return" occurs when a patron's account lists an item that the patron claims has been returned or claims was never borrowed by the patron. An excessive number of claims may result in the loss of borrowing privileges at the discretion of the Library Director or their designee.

Library staff and the patron will continue to look for the item for six (6) months after an item is claimed returned. If the item is found within that time, it will be cleared from the patron's account. They will not accrue any fines or fees during this time. If the item is not found within that time, the item will be changed to a "lost" status and the patron will be mailed a bill notice for the replacement price of the item plus a processing fee.

### Library Card Expiration and Account Updating:

Library cards must be renewed annually to verify that patron account information is current. Cards can be renewed in person, by phone, or by email.

Patrons may login to their online library account to request updates to their personal information.

### Inactive Accounts:

Inactive accounts with no outstanding fees will be deleted from the database on a regular schedule based on date of inactivity.



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Inactive accounts with outstanding fees will be reviewed on a regular schedule based on date of inactivity by the Library Director or their designee who will decide whether or not to delete the account and write off any associated fees based on: amount owed, history of delinquency, and likelihood of recouping those fees.

### Confidentiality of Patron Records:

Library policy and state law (RCW 42.56.310) protect the confidentiality of patron records. Library staff will not discuss a borrower's record of loans, holds, or renewals with anyone other than the borrower or with other library staff members to the extent necessary for efficient and effective service to the public.

Resolution No: 21-15

Authorized by: Board of Trustees

Approved Date: June 15, 2021

Effective Date: July 1, 2021

Review Date: June 2024

Supersedes Policy: N/A

## **4.2 Interlibrary Loan Policy**

Interlibrary loan (ILL) is an important and necessary part of library service as it is impossible for any library to purchase all requested materials. Whitman County Library System encourages patrons to make use of this service. However, some restrictions are necessary.

Interlibrary loan materials should not be requested more than once per year by a patron. The ILL department may make exceptions in special cases.

Only materials not owned by the Whitman County Library System may be borrowed via interlibrary loan. Exceptions may be made for lost items or under special circumstances. Patrons should contact the ILL department for assistance.

WCL attempts to fill all requests, but each lending library sets its own policies. Audio-Visual materials, reference books, rare books, and books less than six months old may not be available via interlibrary loan.

Due to the nature of public library collections, staff members cannot undertake original research through interlibrary loan for patrons or students. We cannot support college courses by providing required reading materials. Specific reading lists or specialized subject materials for college research should be requested through the appropriate University library.

If the request is time sensitive, WCL will make every effort to provide Interlibrary Loans to patrons by the date specified on the request. However, we can make no guarantees as we are dependent upon the staffing and policies of other libraries. Patrons can expect to wait up to several weeks for interlibrary loan materials to arrive.

WCL generally borrows from libraries that do not charge ILL fees. Should the lending library charge a fee, that fee will be passed along to the patron with prior approval from that patron.

The library will accept no more than five (5) requests from a patron per month. The library will hold up to ten (10) requests for a patron at any given time. If a patron desires more than these amounts then prior approval from the ILL department is required. A borrowing fee of five dollars (\$5) to offset postage and staff costs may be assessed.

Patrons will only be allowed one (1) interlibrary loan item at a time. Exceptions to this may be made for book clubs, teachers and homeschool families in good standing at the library or others via prior arrangement with the ILL Department.

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Patrons with ten dollars (\$10) or more in fees/ fines may not use the interlibrary loan service until their fees/ fines are under this amount.

Interlibrary loan service is a privilege. Patrons who abuse this privilege by failing to return books on time, by failing to pick up interlibrary loan books or with other library issues may have their interlibrary loan privileges suspended.

Interlibrary Loan service is only available on resident adult and family accounts.

Revised 07/18/2023 Resolution 2023-20; 01/25/2017 Resolution 2017-3

### 4.3 Device Lending Policy

The Library will make laptop computers, hotspots, webcams, and other electronic devices available to address challenges patrons experience accessing technology and the Internet.

Eligibility:

Adult patrons with a resident card in good standing may borrow any device.

Non-resident card holders, patrons younger than 18 years with a guardian signed internet release on file, and visitors can check out equipment designated for “Library Use Only” by presenting either  
library card;  
valid driver’s license;  
school ID; or  
other form of photo ID.

The identification card will be held at the Front Desk until the device is returned to Library staff. Credit cards are not accepted as identification.

Loan Period/Availability:

Patrons may borrow only one type of each device at a time (e.g. one laptop and one hotspot at a time, but not two laptops or two hotspots).

All devices are available on a first-come, first-served basis. Patrons can request to be placed on hold for a device by contacting the Library, but the Library cannot guarantee availability for a specific date or time. Devices will not rotate between library locations to fill patron requests.

Devices designated for outside library use can be checked out for two weeks. This may be changed at the Director’s discretion depending on patron demand.

Devices designated for “Library Use Only” can be checked out for sixty minutes and must be used on the library premises, including seating outside the library and parking around the library.

The patron is responsible for verifying the current physical condition of a device and that it is in working order when it is checked out. Damaged or non-working devices should be reported to the Library immediately.

Devices may be renewed if there are no other hold requests for the device.

Devices must be returned during open hours at the front desk at the branch they were borrowed from, and must be returned at least ten minutes before closing time to allow adequate time for checking devices back in. Devices cannot be returned through an indoor or outdoor book drop. The patron will

## Whitman County Rural Library By-Laws and Policies

be charged for any damage to a device returned through a book drop and may lose device borrowing privileges. It is the patron's responsibility to return the device during open library hours.

Devices must be returned fully charged, where applicable, and in working order along with all accessories (e.g. carrying case, charging cord, etc.). Each device type will have a different set of accessories, and a list will be included with each device at checkout.

Computing devices such as laptops erase files and any other changes upon restart. It is the patron's responsibility to save files they have created to another source.

### Limitations:

Each device is configured with a specific operating system and, where applicable, a suite of applications. No additional software may be installed or downloaded.

Where applicable, devices have content filtering. If a patron attempts to disable the content filtering, they will lose device borrowing privileges.

### Fines and Liability:

The Library's Computer Use/Internet Policy applies to all device use. By checking out a device from the library, the patron attests that they have read and will adhere to the policy (6.1 Computer Use and Internet Policy).

The Library is not responsible for any liability, damages, or expenses resulting from use or misuse of a device. This includes any damage or corruption to a patron's personal devices, software, files, and/or equipment while using a library device.

The patron assumes any and all liability for the cost, repair, or replacement of a device and/or accessories in the event of loss due to theft, damage, negligence, or misuse. The Library will assess device issues and charge the patron accordingly.

Device late fees may be charged daily until returned, up to the total replacement cost for the device and all accessories. Replacement costs vary by device. Accumulated late fees are in addition to replacement costs if device is not returned or returned damaged. There is no overdue grace period for devices. Per the Library's Circulation Policy, use of the library or its services may be denied for patron's having ten dollars (\$10.00) or more in unpaid library charges (individual and/or family).

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The Library is not responsible for information accessed using a device or for personal information that is shared over the internet. Patrons accept all risk associated with use of devices connected to the internet.

The Library assumes no responsibility for equipment failure, and equipment is not guaranteed to work in all locations and/or with a patron's personal devices.

### Troubleshooting Problems and Questions:

If patrons experience problems with a device or have questions, they can contact the Library. Library staff may not always be available to provide technical support.

The patron will be financially responsible for any damage to a device if they try to troubleshoot problems and damage occurs.

Tampering with Library devices or attempting to access or modify the operating system or any other software or programming, including bypassing security functions, is prohibited and will result in a loss of future borrowing privileges.

Adopted November 17, 2020 Resolution 20-29

#### 4.4 Reference Policy

Whitman County Library strives to provide accurate information and referrals in all 14 of our locations, on-line through our website and by telephone. Staff will initiate and maintain a dialogue with customers requesting information. The exchange enables staff to better serve the public by completely understanding the nature of the information being requested.

Examples of services provided in all locations include: help answering specific questions or locating items for checkout, readers' advisory, assistance with basic research, orientation and instructional tours to new patrons or local groups, searching and instruction on the use of library computers, searching and requesting on the library catalog, using the Internet, and use of online databases.

Reference services are provided in a timely manner. If staff cannot meet the customer's information needs immediately, they will request a deadline for which the information must be received. The Colfax Library has been identified as the reference center to answer reference questions from Colfax and the thirteen rural branch libraries. If customer deadlines permit, referrals will be made to this reference center. To expedite the process, branch library staff should phone or email the reference center.

##### Basic Service Guidelines:

Confidentiality: Whitman County Library staff guarantee the customer's right to confidentiality in all reference transactions. Information obtained to fill a request is delivered directly to the customer who placed the request; exceptions to this practice are made only with prior instruction from the customer.

Timeliness: Information requests are filled as soon as possible from the time they are received. Whenever a customer provides staff with a deadline for filling a request, every attempt is made to meet the deadline. In the event the deadline cannot be met, staff will contact the customer to explain the situation or negotiate a new deadline.

Service Priorities: Customers are served on a first-come, first-serve basis, with priority given to those who make the request in person. When requests require extended searches or workload must be prioritized, requesters' deadlines will be used as the deciding factor.

Reference Interview: Staff will communicate with the requester to verify or clarify the request. When providing information to fill the request, staff members will seek verification or satisfaction on the part of the library user to ensure the transaction is complete.

## Whitman County Rural Library By-Laws and Policies

Documentation of Information: All information provided by Whitman County Library staff is documented. Sources are cited verbally or in writing depending on the format of the information. Staff does not summarize or interpret any information given to customers.

Non-Resident Service: Basic questions are answered for all customers. If a customer resides outside the Whitman County Library District and their request will consume an inordinate amount of time or research, they will be advised of and assessed a \$30 per hour non-resident reference fee.

Adopted by the Board of Trustees June 18, 2001



## Whitman County Rural Library By-Laws and Policies

### 4.5 Fee Schedule

Whitman County Rural Library District charges fees as set by the Library Board. The intent of these fees is to recover the cost of providing the service, not to make a profit.

#### Late Item Fines

Late Entertainment DVDs	\$1.00 per day
All Other Library Materials (including Non-Fiction DVDs)	No Charge

#### Damage Fees

Miscellaneous Damage (Torn pages/covers, missing barcode/spine label, permanent markings/stains, etc.)	Starts at \$2.00 (at Mending Department discretion)
Damaged DVD/Audiobook/CD Case	\$2.00
Damaged Beyond Repair	Replacement Cost* + \$2.00 service fee

#### Lost Item Fees

Lost Blue Card for ILL	\$2.00
Lost ILL	Up to \$50.00 (confirm with ILL Dept.)
Lost DVD/Audiobook/CD Case	\$2.00
Lost Library Materials (Books, Audiobooks, DVDs, CDs, Library of Things, etc.)	Replacement Cost* + \$2.00 service fee

\*Replacement Cost to be assessed by applicable Collection Development Department

#### Other Miscellaneous Fees

Prints or Copies, B&W	\$.15 per side
Prints or Copies, Color	\$1.00 per side
Prints or copies, Colored Paper or Cardstock	\$.25 per side
Fax, Send or Receive	\$1.00 per page
Laminating	\$1.00 per page
USB Drive	\$3.00
Non-Resident Library Card	\$30.00 per year
Interlibrary Loan	5 free requests per month

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	(\$5.00 fee maybe be charged for additional requests at ILL Department discretion)
Genealogy Research for Non-Residents	\$30.00 per hour
Notary Service for Non-Residents	\$5 per page
Meeting Spaces	See Meeting Room Policy
Mending Patron Personal Item (cover book with Mylar wrap, repair torn pages, etc.)	Starts at \$2.00 (at Mending Department discretion)

Approved February 23, 2021 Resolution 21-06

## **5 Building Use**

### **5.1 Library Meeting Room and The Center Usage Policy**

#### Colfax Meeting Facilities

Whitman County Rural Library District provides a meeting space in the Colfax Library available for public use when it is not being used by the District or its recognized Friends of the Library group.

Meetings may not be scheduled more than two months in advance without Director approval. Once scheduled, these dates are subject to cancellation if they conflict with unforeseen Library or Friends usage.

The District allows use of the meeting rooms by any other group or individual, subject to the limitations below and upon completion of The Application for Use (5.4 Room Rental Application Form). Permission to use these facilities will not be denied to any group or individual because of race, religion, color, sex, national origin, marital status, familial status, age, sexual orientation, or disability.

When scheduling conflicts occur, the District will select uses for the meeting room that most closely align with the District's mission statement and service roles.

Payment of a fee is required for the following types of activities of groups or individuals other the Library or Friends of the Library:

- Any use where the library's kitchen, special equipment or library staff's time to set-up and/or cleanup the room is required.

- Any use for which attendees are assessed a charge other than a nominal amount to defray the cost of materials or supplies.

- Any use for which there is solicitation for the sale of goods or services.

- Private social functions where the general public is not allowed to attend.

- Meetings or usage by any organizations or individuals residing outside of Whitman County.

For any other use, the District does not require a fee for the use of its meeting rooms.

Meetings or groups whose members are under age 18 must be supervised by an adult in attendance at all times. An adult must also sign the Application for Use (5.4 Room Rental Application Form).

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Meeting attendees who are loud, disorderly and/or abusive of others or the facility may be asked to leave and liable for all damages.

Requests for events that require an alcohol or gambling permit must be approved by the library director or appointee. Proof of Insurance may be required for such events.

The District does not assume liability for injuries to individuals or damages to personal property that occur as a result of actions of the sponsors or participants in activities in its meetings rooms.

The Director is responsible for establishing and administering procedures to carry out this policy.

### Branch Meeting Rooms and Spaces:

In towns throughout Whitman County that are served by Whitman County Library branch locations, meeting space may be provided as a service of the city governments who own those buildings and are responsible for activities held within them. In those instances, all policies will be set forth by those cities and adhered to by library staff when using those spaces for library related programs.

Adopted February 13, 2017

## **5.2 Public Announcements and Solicitations**

### Solicitations:

Due to its status as a public, non-profit, non-partisan organization, Whitman County Library cannot collect money for any group or individual for non-library purposes. Upon approval by the library Board of Trustees, the library may display posters or other materials indicating where such donations may be made in the case of non-profit groups.

In order to protect the library staff and to assure library patrons of their freedom to peaceful use of the library, neither individuals nor groups will be allowed to solicit for any purpose, monetary or otherwise, on the library premises.

### Public Announcements:

Whitman County Library System displays or distributes announcements in the form of posters or printed handouts for any community agency or organization. Posters making religious or political statements will not be displayed due to our status as a public agency. If there is any question as to suitability of the material, it will be forwarded to the Director for approval.

In order to protect library staff and to assure library patrons of their right to peaceful use of the public library, neither individuals nor groups will be allowed to distribute printed materials on the library premises.

### 5.3 Displays

The Director may grant the privilege of placing exhibits and displays in the library, subject to the following conditions:

No poster, display, exhibit, pamphlet, brochure, leaflet or booklet shall be exhibited, displayed or placed in the library for distribution without permission of the Director (or designee).

No organization or individual shall be permitted to display or exhibit any materials which advocate the election or defeat of a candidate for public office, or which advocate an affirmative or negative vote for or against any proposition or initiative, whether political or otherwise. Official election information will be made available in the library.

No organization or individual shall be permitted to place in the library any receptacle which solicits donations, nor shall any poster or display be permitted which advocates or solicits consideration of any product or item sold by any commercial or charitable enterprise.

Available space may be used by any group whose purpose for the display promotes the welfare or educational enlightenment of the community. Such displays shall be on a "first-come, first-served" basis, subject to the limitations of space as determined by the Director. Any organization requesting the use of this space must sign the "display contract" (5.5 Display Loan Agreement Form).

The library assumes no responsibility for the preservation, protection, or possible damage or theft of any item displayed or exhibited. All items placed in the library are done so at the owner's risk.

Items are displayed for one month, unless otherwise agreed upon by the library and the display owner. In the event that the owner of the display does not reclaim it by 14 days after the agreed ending date of the exhibit, the library assumes ownership with the right to sell or dispose of the property.

Display areas for the public include two sides of the bulletin board of the triangular display module.

## 5.4 Room Rental Application Form

WCL STAFF USE ONLY (initial please) Staff:_____ Event Type:_____ Event Date: _____			
Calendars Complete: paper _____ online public _____			
Amount Owed: \$_____		Amount Paid: \$_____ Staff: _____ Date Paid: _____	
Circle Payment Method: Cash Credit Check #_____			
OPTIONAL ITEMS: Coffee (# of pots) _____		Key Checkout (barcode) _____	
Tablecloths (#, shape, color) _____		Special Permit for: _____	
SPECIAL APPROVAL: Supervisor: _____ Marketing: _____ Technology: _____			
Rental Coordinator: _____		Today's Date: _____	

### Availability:

Use outside regular hours or scheduling more than 2 months in advance may require supervisor approval.

Library Hours: Monday – Wednesday 10 a.m. to 8 p.m.

Thursday – Friday 10 a.m. to 6 p.m.

Saturday – Sunday 1 to 5 p.m.

### Rental Details:

Meeting Date(s) and Time(s): \_\_\_\_\_  
(including Setup & Take Down Time)

Circle Room: The Center Meeting Room TEK Center Office

Person Responsible for Rental (18+): \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State/Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Organization: \_\_\_\_\_

Person on Site for the Duration of Rental (if Different): \_\_\_\_\_

Phone (if different): \_\_\_\_\_

### Room Options:

The Center: Public & Private Events. Main street access, hardwood floor, counter & sink, restrooms, refrigerator/small freezer, and backroom for catering. Art exhibit on walls. *Capacity 110 chairs or approx. 10 tables with 60 to 80 chairs comfortably.*

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Meeting Room: Local Non-Profits. Downstairs with elevator access, carpet, restrooms, sink, optional small kitchen facilities. *Capacity 110 chairs or approx. 10 tables with 60 to 80 chairs slightly crowded.*

TEK Center: Small room in the Center, well equipped for multimedia presentations or technical training. *Capacity 30 chairs or up to 20 people at tables.*

Private Office: Quiet workspace in The Center. *Seats 1 to 3 people.* Only available during regular library hours. No charge.

### Fee Schedule:

All Fees are non-refundable and due upon reservation of the room. Must cancel at least 24 hours in advance to receive a refund, including "no shows"

Please check the option that applies to you:

- ☐ Free presentations open to the public: FREE during open hours  
OR \$25 per hour after hours

Renter is responsible for all setup, takedown, and cleaning  
*Free classes & events that are open to everyone.* The library does not guarantee marketing, but the event will be listed on WCL's online calendar. Need marketing advertising? Ask about options that may be available.

- ☐ Private Meetings and Functions: \$25 per hour\*

Renter is responsible for all setup, takedown, and cleaning  
*Nonpublic events.* Private meetings, social functions, or other uses that are NOT open to the general public. \*Inquire 24 hours prior to your scheduled time to see if early setup is available.

- ☐ Local Non-Profit Meetings: No Fee

Renter is responsible for all setup, takedown, and cleaning.  
*Non-profits within WCL service district* whose members pay local taxes pay be preapproved for private meetings held in Meeting Room (TEK center or Center when unavailable and with supervisor approval) – check with staff for details.

- ☐ For Profit Use: 20% of profits per vendor during open hours  
OR \$25 per hour after hours

Renter is responsible for all setup, takedown, and cleaning  
*Soliciting the sale of goods, services, marketing of a specific business, and/or any use for which attendees are assessed a fee to attend or for class materials.* Marketing options may be available for a fee. Check with staff.



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\*Hourly fee for ALL hours (open or closed) the room is occupied for setup, event, and cleanup, excluding 11 p.m. to 7 a.m. if room is unoccupied.

### Optional Items:

Please check all options you want provided

- ☐ Kitchen in Meeting Room: \$10  
Warming only, no meal preparation. Must be cleaned. Center does not have kitchen facilities, Meeting Room only.
- ☐ Tablecloth Rental: \$4/each if self-laundering  
\$8/each if WCL launders\*\*  
#\_\_\_ Black: 22 Round, 13 Rectangle (various sizes)  
#\_\_\_ White: 20 Round \*\*White tablecloths must be laundered by WCL
- ☐ Technology Fee: \$15  
Circle: #\_\_\_ of laptop(s)\*\*\* projector speakers microphone  
\*\*\*additional fees apply, more than one laptop is a flat fee of \$15 extra  
Technology assistance outside of library hours is often not possible or may require instruction from staff, including setup and takedown. Please list your contact information in case our staff needs to follow up.  
Email: \_\_\_\_\_ Phone: \_\_\_\_\_
- ☐ Pot(s) of Coffee: \$10 each  
Only available during regular library hours and subject to staffing levels
- ☐ Marketing Assistance: \$50  
Marketing: news releases, posters, and social media included. Fees may apply for printing extra copies. Subject to staffing.
- ☐ Janitorial/Garbage Service: \$50  
Cleaning, trash removal, and floor cleaning (broom & vacuum provided) are the renter's responsibility. *If you are unable to put away tables/chairs, clean thoroughly, and remove trash, select this option.*
- ☐ Large Group Rate: \$25  
If you require more than 50 chairs and/or 10 tables, you will be assessed this fee for staff assistance.

### Important Considerations

#### Parking:

Many library patrons, who use our back parking lot, have physical limitations. Please consider parking in the U.S. Bank lot (one block north), on Mill Street or at the Baptist Parking lot (both one block east), or on the street.

#### Donations:

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Is your meeting free? Please consider a donation to help us offset the cost of maintenance, operation, and cleaning of our facility.

### Future Events:

Events scheduled more than two months in advance and/or free usage by groups or individuals outside of WCL District (including Pullman) require supervisor approval.

### Special Permits:

If an event includes alcohol or gambling, the renter is responsible for obtaining the proper permitting. A copy of the renter's permit and insurance may be required along with supervisor approval. Permit is required and must be posted at event.

### Agreement:

I have read and understand the rules and regulations for use of Whitman County Library's meeting facilities and will take full responsibility to abide by those rules and regulations. I do hereby understand that I am responsible for the supervision and control of any group or individuals while using Whitman County Rural Library District meeting room to ensure their safety, prevent injury and/or damage to the equipment, property or grounds of the center. I am at least 18 years of age, have authority to make this application and agree to comply with all facility rules and regulations, and assume liability for any and all damages that occur as related to this rental. Fees only refundable if cancellation is due to library conflict.

I also understand that I am responsible for ***ALL SET UP and leaving the room in the same condition*** as when I assumed possession. Janitorial and garbage fees will be assessed if renter does not comply. I am responsible for protecting all areas of the meeting room and all of its contents. Should any items be stolen, damaged, broken, access keys lost, or a cleaning fee assessed, I assume liability for these costs.

Indemnification/Hold Harmless: User shall indemnify and hold harmless Whitman County Rural Library District, its officers, officials, employees, and volunteers from and against any and all claims, suits, actions, or liabilities for injury or death of any person, or for loss or damage to property, which arises out of use of Premises or from any activity, work or thing done, permitted, or suffered by User in or about the Premises, except only such injury or damage as shall have been occasioned by the sole negligence of Whitman County Rural Library District.

Signature of applicant: \_\_\_\_\_ Date: \_\_\_\_\_  
(must be same person responsible and listing information above)

## 5.5 Display Loan Agreement Form

### Whitman County Library Exhibition Agreement

The Artist (name, address, telephone number, email)

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and

Whitman County Library (WCL)  
102 S. Main Street, Colfax WA 99111  
509- 397-4366  
Contact: Kylie Fullmer

hereby enter into the following Agreement:

1. *Agency; Purposes.* The Artist appoints WCL for the purposes of exhibition only. WCL shall not permit the artworks to be used for any other purposes without the written consent of the Artist.
2. *Exhibition.* WCL accepts for exhibition only, those artworks listed on the attached Inventory Sheet, which is part of this Agreement. All Inventory Sheets shall be signed by the Artist and WCL.
3. *Warranty.* The Artist hereby warrants that he/she created and possesses unencumbered title to the artworks, and that their descriptions are true and accurate. The Artist reserves all rights to the reproduction of the artworks except as noted in writing to the contrary.
4. *Duration of Exhibition.* The Artist and WCL agree that the initial term of the exhibition for the artworks is to be \_\_\_\_\_, and that the Artist does not intend to request their return before the end of this term. Any necessary maintenance of artwork on display will be the responsibility of the Artist. If artwork is not reclaimed within 14 days after the end of the exhibit date above, WCL may assume ownership with the right to sell or dispose of the property.
5. *Transportation Responsibilities.* Packing, transportation of and handling expenses and risk of loss or damage incurred in the delivery of artworks from the Artist to WCL, and in their return to the Artist, shall be the responsibility of the Artist.
6. *Responsibility for Loss or Damage.* WCL will take meaningful measures to ensure the safekeeping of all artworks while they are in its custody, however is not responsible for loss or damage to the artwork. The Artist is responsible for insuring their artwork. The Artist agree to indemnify and save and hold harmless the Whitman County Library District from and against any and all loss, damage, injury liability

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and claims for loss, damages or injuries to property arising out of the loan of said property to the library for display or special exhibit purposes.

7. *Removal from WCL.* WCL shall not lend out or remove from the premises any of the artworks, without first obtaining written permission from the Artist.

8. *Publicity.* The Gallery may arrange to have the artworks photographed to publicize and promote the exhibit. In every instance of such use, the Artist shall be acknowledged as the creator and copyright owner of the artwork. All rights to reproduction of the work(s) of art identified herein are retained by the Artist.

The Gallery's promotion of exhibits is limited to news releases, posters, calendar listings, social media posts, etc. The Artist is encouraged to self-promote their exhibit, purchase advertising, or to schedule community events if more exposure is desired.

9. *Commission.* Sale of any artwork is to be handled directly between the Artist and buyer except as noted in writing to the contrary. WCL will attempt to facilitate communication between the Artist and buyer, however Artist should make their contact information available for the buyer to easily access (email on title cards and/or Artist statement). If the Artist handles their own sale, it is required that they provide the library with a 20% commission within 14 days of the sale. If WCL handles the sale, they will issue the Artist a check, less a 20% commission, within 14 days of the sale. WCL does not handle sales tax for Artists so Artist will need to take that into consideration when setting prices.

10. *Termination of Agreement.* Notwithstanding any other provision of this Agreement, this Agreement may be terminated at any time by either the Gallery or the Artist, by means of written notification of termination from either party to the other.

By signing below, I hereby agree to the terms stipulated above.

---

(Signature of Artist)

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(Signature of authorized WCL representative)

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Date

---

Date

## **5.6 Rules Governing the Use of the Library**

While in the library, PLEASE DO NOT:

- Smoke
- Consume food or beverages near computers
- Solicit or sell
- Sleep
- Bring pets into the building (except service animals)
- Harass patrons or library personnel by noisy or disorderly conduct, abusive, obscene, or threatening language, or unpredictable behaviors
- Exhibit behaviors that, in the opinion of the library staff, constitutes misuse or defacement of library materials or facilities
- Obstruct any public access point
- Be drunk or disorderly
- Leave children under 7 years unattended
- Place feet on table or chairs
- Bring or use bikes, skateboards, or skates
- Generate an offensive, pervasive odor
- Disobey the computer use/Internet policies (6.1 Computer Use and Internet Policies)
- Create disruptive noise, including cell phones, pagers, or other audible devices

Violation of these rules may be cause for a temporary or permanent prohibition from the future use of library facilities.

### 5.7 Notice of Eviction Form

#### Notice of Eviction from Whitman County Library District

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone: \_\_\_\_\_ Library Card Number: \_\_\_\_\_

You are hereby notified that you have acted improperly pursuant to the library's  
rules and regulations by:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

This is notice that you are forbidden entry to any Whitman County Library  
location. Failure to comply may result in charges being filed with the police  
department.

Signed: \_\_\_\_\_ Dated: \_\_\_\_\_

Copies: Chief of Police: \_\_\_\_ Librarian in charge: \_\_\_\_ Other: \_\_\_\_\_

**5.8 Release and Waiver of Liability, Assumption of Risk, and Indemnity Agreement Form – Exercise Policy**

Activity and Location: \_\_\_\_\_

IN CONSIDERATION of being permitted to participate in any way in Whitman County Library sponsored activities (Activity”), I for myself, my personal representatives, assigns, heirs and next of kin:

Acknowledge, agree, and represent that I understand the nature of the Activity and that I am qualified, in good health and in proper physical condition to participate in such Activity. I further acknowledge that the Activity may involve certain hazards. I further agree and warrant that if at any time I believe the conditions to be unsafe, I will immediately discontinue further participation in the Activity.

Fully Understand that:

Activity involves risks and dangers of serious bodily injury, including permanent disability, paralysis and death, and also involves risk of damage or loss to equipment (“Risks”);

These risks and dangers may be caused by my own actions, or inactions, the actions or inactions of others participating in the Activity, the condition in which the Activity takes place, or the negligence of the “Releasers” named below;

There may be other risks and social and economic losses either not known to me or not readily foreseeable at this time; and I fully accept and assume all such risks and responsibility for losses, costs and damages I incur as a result of my participation in the Activity.

Hereby release, discharge and covenant not to sue the Whitman County Library, their affiliates, the unaffiliated instructor \_\_\_\_\_, their respective administrators, directors, and officers (the “Releasers” herein) from all liability, claims, demands, losses or damages on my account caused or alleged to be caused in whole or in part by the negligence of the Releasers or otherwise, including negligent rescue operations; and I further agree that I, despite this Release and Waiver of Liability Assumption of Risk and Indemnity Agreement I, or anyone on my behalf, makes a claim against any of the Releasers, I will indemnify, save, and hold harmless each of the Releasers from any litigation expenses, attorney fees, loss, liability damage, or cost which any may incur as the result of such claim.

I have read this Agreement, fully understand its terms, understand that I have given up substantial rights by signing it and have signed it freely and without any inducement or assurance of any nature and intend it to be a complete and unconditional release of all liability to the greatest extent allowed by law and

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agree that if any portion of this Agreement is held to be invalid, the balance, notwithstanding, shall continue in full force and effect.

Participant's Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_ Date: \_\_\_\_\_

Guardian's Signature (if participant is under 18 years of age):

\_\_\_\_\_

Printed Name: \_\_\_\_\_ Date: \_\_\_\_\_

Adopted February 13, 2017 Resolution 2017-8



## **6 Internet and Technology**

### **6.1 Computer Use and Internet Policies**

All computer users must check with library personnel before using the computers to assist in tracking usage and to verify that computer privileges have not been revoked.

Parental (or guardian's) permission is required for those under 18 years of age to use unfiltered Internet stations. PARENTS OR GUARDIANS are responsible for Internet information accessed by their children. Library staff does not oversee computer usage and are not responsible for information accessed.

Patron time on computers is limited in order that the maximum number of citizens be allowed access. Specific time limits are determined on a branch-by-branch basis.

No food or drink is allowed at the computer stations.

Fees are charged for all printing and photocopies. Fees will be posted and are charged for each "side" of the page that is printed, not for each page.

Whitman County Library's public computers are minimally filtered in order to meet the criteria for federal e-rate funds. Contact library staff if a site is being blocked that does not violate rules 9-10.

Any behavior deemed by library staff to be suspicious, offensive, obscene, or threatening will result in loss of computer privileges.

Patrons are financially responsible for any damage caused to computers as a result of violating the library's computer use policy.

Computers may not be used to view, print, or download illicit or pornographic material.

The following are prohibited on library computers:

- Violation of copyright law or software licenses.

- Misrepresenting one's self.

- Harassing others.

- Violation of computer system security of WCL or other systems.

- Destruction of or damage to equipment, data or software (including creation of viruses), or changing the system settings.

- Unauthorized use of accounts or network identification assigned to others.

- Violation of federal, state or local laws and regulations.

- Other illegal uses of library work stations not spelled out in this document.

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Whitman County Library is not responsible for the data security of our patrons, as we have no control over the sites they are using or the security of those locations. This also applies to links within the library's website that take patron's to outside sites.

Failure to abide by these rules may result in a variety of penalties, including (but not limited to): warnings; suspension of computer privileges; financial responsibility for damage to equipment and software; legal proceedings brought by the library, copyright holders or law enforcement personnel; and suspension of all Library privileges.

## 6.2 Microsoft Office Specialist Testing Policy

The Colfax branch of Whitman County Rural Library (WCL) is proud to be a Certiport Authorized Test Center (CATC) for the Microsoft Office Specialist (MOS) test, as part of the Washington State Library (WSL) Microsoft IT Academy program.

### Article 1: Exam Fees

For Whitman County Library District residents with a library card, the first exam and one re-test is free with a certificate of completion of an advanced Office 2010 or 2013 course from WSL Microsoft IT Academy. Subsequent exams, and for any non-resident candidates, will be \$50. Test vouchers must be obtained through WCL. No proctoring fees will be charged. Payments accepted in cash or check only.

### Article 2: Candidate Policies

Test Candidates, Proctors, and Administrators must adhere and/or enforce all of the following policies when taking or administering an exam at a Certiport Authorized Testing Center:

Tests must be scheduled and confirmed at least ten (10) days before the proposed test date. Scheduling can be made by phone (509-397-4366) Monday – Friday 10 am to 4 pm. Test must be started and completed by: Monday – Wednesday 10 am to 5 pm and Friday 10 am to 4 pm.

Upon arrival at the testing center, Test Candidates must present their personal identification bearing a photograph and signature.

Test Candidates may not take recording devices such as paper/pencil, cameras, PDAs, computers, or communication devices such as cell phones, or pagers into the testing area.

Test Candidates must not communicate with other Test Candidates either in the testing room, or in any other area of the testing facility during authorized testing breaks.

Test Candidates must read and accept the terms of the **Non-Disclosure Agreement** presented prior to the start of the exam.

Test Candidates must not remove exam content from the testing area, and must not reproduce exam content outside of the testing area.

Test Candidates must abide by the terms of the **Retake Policy**.

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Test Candidates found to have violated testing center rules may lose any existing certifications and may be made permanently ineligible for additional certifications.

Please Note: In certain circumstances, the computer on which a Test Candidate is taking the exam may stop responding, or produce an error condition in which continuation of the exam would not be possible. If a Test Candidate experiences this or any other computer interruption, they must notify the Certiport Authorized Testing Center (CATC) Administrator and/or Proctor immediately to restart the exam. When the computer is restarted and/or the error condition resolved, the Proctor will launch the software again and the Test Candidate will choose the "In-Progress" exam, which will return them to the point at which the interruption occurred. The software will retain the exam progress and time remaining up to the point of termination, as long as the exam is resumed on the same computer in which it was started.

### Article 3: Physical Testing Environment:

Ensure the testing area is a professional environment where Test Candidates may take the exam without interruptions.

Ensure that each test is actively proctored with an unobstructed view of each Test Candidate in the testing area. The proctor is to be located in the same room with the Test Candidate.

If partitions are not available for the testing stations, ensure that Test Candidates are seated far enough apart to minimize distractions and prevent cheating. The recommended distance is four feet.

While testing is in progress, use of equipment such as printers, fax machines, copiers, telephones, or other electronic devices is not permitted in the testing environment.

### Article 4: Candidate Check-In and Exam Procedures

The CATC is required to maintain a log showing when the Test Candidate signs in and out.

The CATC is responsible for verifying the Test Candidate's identity with at least one form of valid identification (containing both a photograph and the Test Candidate's signature).

The CATC/Proctor must not allow recording or electronic devices in the testing area. Such devices include: paper, pens, pencils, cameras, computers, or cell phones. Additional Test Candidate property, such as books or bags, should be stored outside the testing environment or inaccessible during the exam.

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The CATC/Proctor may permit a Test Candidate to take a break during testing if requested, but must inform the Test Candidate that the testing clock cannot be stopped during the break. Test Candidates must not be permitted to conduct activities during a break that may compromise exam security - including use of a telephone and/or communicating with other Test Candidates. Candidates must sign out and back in for each break.

The Proctor must confirm that the Test Candidate's ID matches the Certiport account information on the Proctor Validation Screen prior to launching the exam.

Proctors may answer questions regarding the functionality of the exam software, but may not answer questions or provide instructions related to exam content.

### Article 5: Public Testing Centers

Accurate scheduling information must be included on the CATC locator, and should be updated as needed.

Personnel responding to exam scheduling requests must be thoroughly trained on Certiport product offerings and procedures. **Please Note:** If you choose to offer online exams the CATC locator will display your center as offering ALL online exams.

The CATC Logo must be posted in a location that is visible to Test Candidates prior to entering the facility.

The CATC should greet the Test Candidates in a professional manner and provide testing policies and procedures prior to the beginning of the exam.

### Article 6: Accommodation of Disabilities:

As a worldwide provider of certification exams, Certiport is committed to ensuring that those persons with the desire to certify their proficiency in the use of computers should have the opportunity to do so. Certiport, accordingly, embraces the Americans with Disabilities Act (ADA) as well as other global accommodations for disabilities designed to advance those goals.

Proposed: September 23, 2014

Effective:

### **6.3 Social Media Policy**

This policy will be included in the WCL policies and procedures, available on [www.whitco.lib.wa.us](http://www.whitco.lib.wa.us) or in print if requested.

#### **Purpose:**

Whitman County Rural Library District endorses the use of carefully chosen social media tools as an important enhancement to communication, collaboration and information exchange between District administration, staff, friends, library users, and the general public. Social media use by libraries can provide streamlined, cost-effective marketing and outreach, as well as foster a sense of community between the library and its members.

#### **Definition:**

Social media is defined as any web applications, site or account that facilitates the sharing of ideas, opinions and information about library related subjects and issues.

Social media tools employed by the District will be selected to enhance or provide more cost-effective means to deliver such library services and functions as:

- Community outreach, marketing, and publicity
- Education of the community in the use of library resources
- Readers' advisory services
- Information and reference services
- Book discussion groups
- Reading readiness activities for pre-school children
- Reading incentive programs for all ages
- Cultural and educational programming
- Advertisement of volunteer or job opportunities available at the District
- Additional library-related uses that may be explored or expanded upon as deemed reasonable by library administration
- Create a welcoming and inviting online space where library users will find useful and entertaining information

#### **Rights of the Library:**

The WCL library director or designated social media manager reserve the right to monitor content on all of its Social Media web applications, web sites and web accounts, and to modify or remove any messages, tags or postings that it deems, in its sole discretion, to be abusive, defamatory, in violation of copyright, trademark right or other intellectual property right of any third party, or otherwise inappropriate for the service.

#### **Disclaimer:**

WCL will make a good faith effort to implement this policy in a fair and consistent manner. Any views expressed on social media are those of the

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individual post author only. The library accepts no liability for the content of this site.

### Public Terms of Use:

WCL has no affiliation with any advertisements or other material posted by third party sites or software. WCL social media sites are for individuals to discuss things related to WCL and our community.

By choosing to comment on WCL social media sites, individuals agree to these terms:

Comments are moderated by WCL staff, and WCL reserves the right to not post or to remove comments that are unlawful or off-topic as determined in its sole discretion, including, but not limited to:

- Plagiarized material
- Off-topic comments
- Commercial material/spam or solicitations
- Duplicate posts from the same individual
- Impersonation of another person or posting of someone's private information
- Profanity, hate, political statements
- Any efforts to intimidate, harass, personally attack, or defraud another
- Any disruptive or overly excessive postings
- Posting meant to further illegal activity
- Sexual content or links to sexual content
- Statements that ridicule, malign, disparage, or otherwise express bias against any race, religion, or any group or individual
- Content that reveals private, personal information without permission
- Copyright violations
- Information that may tend to compromise the safety or security of the public
- Images, executable programs, or any non-textual content

Persons who repeatedly violate these terms may be barred from further postings

All comments are public records, and as such, are subject to public records laws and records retention schedule. Commenters are urged to protect their privacy. Comments should not post personally identifying information, including but not limited to: school, age, phone number, address, library card number.

The District's Executive Director is responsible for establishing administrative procedures necessary to carry out this policy, which shall include the right of appeal for suspensions longer than thirty (30) days.

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### Staff Terms of Use:

WCL regards online Social Media in the same way as its other information resources and communications. This policy is not intended to replace other Library policies but, rather, to supplement those policies.

### Responsibility of Staff:

Social Media sites are on-going web products. They have a clear start date but no end date and staff who are considering proposing a Social Media website must be aware of the ongoing time commitment required to maintain audience interest at a satisfactory level.

All new Social Media sites must be cleared by a manager. The manager will assume responsibility for ensuring this policy is strictly enforced and have primary administrative access to the site. The director of the library has ultimate authority in terms of the Library's Social Media presence.

All Social Media applications will be tied a multiuser email account, or have some other provision to ensure that access to the site can be maintained if the creator terminates employment with WCL.

### Appropriate Content:

- Notices of upcoming Library or community meetings or events
- Content of all press releases
- Information about library services, trends, or technologies
- Communication between library staff and the library community regarding WCL work and/or projects
- Training and continuing education opportunities
- Promotion of WCL, other library systems, or other approved community activities

### Inappropriate Content:

- Obscene or racist content
- Personal attacks, insults, or threatening language
- Potentially libelous statements
- Copyrighted or plagiarized material
- Private, personal information published without consent
- Comments totally unrelated to the content of the forum
- Hyperlinks to material that is not directly related to the discussion or Library
- Commercial promotions or spam

### Photos and Other Audio/Visual Material:

Photos and other audio/visual material are an important element of Social Media content. Staff is encouraged to share relevant photos. Staff wishing to share these types of material via Social Media that include person's faces must first give those persons the opportunity to opt out if people do not want



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their photos shared. Tagging of people in pictures should be limited to those who have given specific permission.

### Attribution:

In accordance to provision IV of the ALA Code of Ethics, and various international, federal, state and local laws, staff will make every attempt to protect copyrighted or other intellectual property rights.

When quoting another blog or publication, be sure to link to the original (if possible) and use quotation marks or block quotes

When using images or other media found elsewhere on the web, attribute credit to the author or creator via hyperlink.

## 6.4 3D Printer and Printing Policy

### Purpose:

Whitman County Library provides community access to new and emerging technologies such as 3D printing to inspire interest in design and help the community bring their creations to life. This policy establishes how and under what circumstances residents of Whitman County Library District may use the library's 3D printer and printing capabilities.

### Policy:

3D printing allows patrons to make a 3D object out of plastic. The object design may be uploaded from a digital computer file.

The library's 3D printer may be used only for lawful purposes. The public will not be permitted to use the library's 3D printer to create material that is:

- Prohibited by local, state or federal law.

- Unsafe, harmful, dangerous, or poses an immediate threat to the well-being of others.

- Obscene or otherwise inappropriate for the library environment.

- In violation of another's intellectual property rights. For example, the printer will not be used to reproduce material that is subject to copyright, patent or trademark protection.

WCL does not provide access to 3D printer for the production or sale of goods.

3D print requests will only be accepted from residents of Whitman County Library District and paying non-resident cardholders. Reciprocal cardholders are invited to pay the non-resident fee to participate.

The library reserves the right to refuse any 3D print request including those owing \$10 or more on their library account or those residing outside of the library district.

Cost: 3D printing will cost the user \$1.00 per object plus ten cents (\$0.10) per one gram to offset the cost of the filament and maintenance of the 3D printer. Before a print is released to the user, they must have any and all print invoices paid in full.

Items printed from the library's 3D printer must be picked up within 7 days from the Colfax Branch or they become the property of the library. Items must be picked up by the individual who printed them, a parent, guardian, or designee.

The library will schedule only one print job per day per person.

## Whitman County Rural Library By-Laws and Policies

Only designated library staff or volunteers will have hands-on access to the 3D printer.

Supervision of the use of the 3D printer by library staff does not constitute knowledge, or acknowledgement, of any final use of the 3D product, and the library specifically disclaims any knowledge thereof.

Once in possession by the patron, WCL expressly disclaims any and all personal injury or property damage caused by use or misuse of 3D printed object.

Adopted October 16, 2018 Resolution 18-16

## **7 Personnel**

### **7.1 Procedure for the Evaluation of Library Director**

The Board of Trustees will evaluate the Library Director annually. The evaluation will contain the following steps, the first step beginning in January

Step 1:

Each January, or at a time agreed by all parties, the Library Director will present the Board of Trustees with a list of goals (priorities) for the coming year.

Step 2:

All Board members will complete the "Board Questionnaire" and route the completed forms to the Board Secretary who will serve as the "Director Evaluation" coordinator.

Step 3:

The Library Director will complete the "Board Questionnaire" using it as a "self-appraisal." The completed form will go to the Board Secretary.

Step 4:

Key leadership staff will complete the "Staff Survey" with all results routed to the Board Secretary. This process can be facilitated by the Board, Director, or a designee.

Step 5:

The Board Secretary will compile and present completed Board Questionnaires, Staff Surveys, and the Director's self-appraisal to the Board of Trustees in Executive Session. With input from the entire Board and in consideration of the Director's goals, Board Questionnaires, Staff Surveys, and the Director's Job Description and the Library's Strategic Plan, the Secretary will prepare the Director's final evaluation, using the "Board Questionnaire as a template.

Step 6:

At the next Board meeting, in Executive Session will be called for a personnel matter where the Board Secretary with the support of members will present the evaluation to the Library Director. The Library Director will present any comments or concerns back to the Board in writing. These comments will be placed in his/her personnel file.

Step 7:

If needed, the Library Director shall revise his/her work plan as needed based on the discussion conducted in Step 6. Finalized goals will be provided to the Board of Trustees.

## Whitman County Rural Library By-Laws and Policies

### Step 8:

A mid-year evaluation will be conducted between the Board and the Library Director during and executive session of the July meeting. The purpose of this mid-year evaluation is two-fold. One purpose is to re-evaluate the appropriateness of the Library Director's goals; the other purpose is to check the progress toward completion of the stated goals.

### Step 9:

Evaluations shall be scheduled more often as needed or in support of a new director. This shall be at the discretion of the Board of Trustees.

August 11, 2020

**Board Questionnaire (to be used for gaining feedback about, and evaluating the library director)**

1. How well has the Director performed in the following areas?
  - Director's goals including those identified by the Board of Trustees
  - Director's Job Description (including public relations, leadership and organized development, fiscal responsibilities, outreach, partnerships, trustee support)
  - Strategic Plan as related to the Library's Service Roles and Goals
  - Contingency Planning for Current Conditions
  - Other?
2. What are the Director's greatest strengths?
3. What areas of improvement and/or concerns should be addressed by the Director? Suggested strategies?
4. What is the Director doing to position Whitman County Libraries for long-term sustainability in the face of challenges such as the current economic climate, emerging technologies, shifting cultural values, etc.?
5. What issues & activities should the Director include in his/her current list of goals or upcoming year's goals?
6. How can WCL Trustees better support the Library Director in meeting goals and strategic initiatives?

Updated August 2020

## **7.2 Personnel Policies: Staff, Board, and Director Relationship**

### **7.2.1 Director:**

The Director serves as the channel of communication between the Library Board, the library staff and the public. Under these policies, adopted by the Board of Trustees, the Director administers the library and directs the staff.

### **7.2.2 Staff:**

The library staff has responsibility for public relations in contact with the public both inside and outside the library.

Members of the staff are encouraged to make suggestions to the Director on any phase of library service which they feel can be improved. These suggestions are channeled through departments and/or directly to the Director.

Staff members will participate in appropriate and on-going programs of staff development and continuing education policies, in-house or at workshops, seminars, and meetings within the limitations imposed by budget and current staffing levels.

### **7.2.3 Board of Trustees**

The Board of Trustees serves as the liaison between the library and the public and between the library and government officials.

Its members advise the Director of needs in the community and explain the library and its services in lay terms to the public.

The Board works with the Director in adopting a budget.

Members of the Board will not discuss policy matters with members of the staff without knowledge of the Director.

If circumstances require by passing the normal administrative channels, the matter should be acted upon by the Board as a whole prior to any such discussion.

### **7.2.4 Staff Classifications:**

#### **Full-Time Employees:**

Full-time employees are those who are not in a temporary or introductory status and who are regularly scheduled to work 40 hours per week.

Generally, these employees are eligible for the facility's benefit package, subject to the terms, conditions, and limitations of each benefit program. Vacation, holidays, insurance, retirement, etc. are included in full-time employee benefits package. Payroll is computed on an hourly basis.

## Whitman County Rural Library By-Laws and Policies

### Part-Time Employees:

Part-time employees are those who are not assigned to a temporary or introductory status and who are regularly scheduled to work less than a full-time schedule (124 or less hours per month.) Part-time employees working 70-124 hours a month (for 5 months within a twelve month period) are eligible for a retirement benefit.

### Temporary Employees:

Employees hired for temporary positions lasting for less than six months, unless specified by the Director, board, or terms of a grant. Temporary employees are not eligible for paid sick leave, retirement, vacation, or holidays for the duration of the temporary position including periods extended beyond six months.

### Introductory Employees:

Introductory employees are those whose performance is being evaluated to determine whether further employment in a specific position or with the facility is appropriate. Employees who satisfactorily complete the introductory period of one year will be notified of their new employment status.

### Exempt Employee:

An Exempt employee, typically the library director, is paid on a salary basis; e.g., the employee regularly receives each pay period a predetermined amount constituting all or part of an employee's compensation, which amount is not subject to reduction because of variations. Exempt employees are not eligible for overtime. Exempt employees shall not have their predetermined salary reduced during a workweek in which they perform any work exempt as does not jeopardize the employee's exempt status under federal and state law. Accrued sick or vacation leave should be used for absences of a day or more. Exempt employees will not have their salaries reduced for less than a full day absence.

#### 7.2.5 Resignation:

Employees must give the Director or the Board two (2) weeks prior notice when resigning.

#### 7.2.6 General Personnel Guidelines:

##### 7.2.6.1 Personnel Records:

The Director or designee shall maintain a personnel record for each employee.

The employee records shall be considered confidential and shall be accessible only to the employee, the Director, the Director's appointee, or as required by law.

##### 7.2.6.2 Temporary Appointments:



## Whitman County Rural Library By-Laws and Policies

As a substitution for a regular employee who has taken leave of absence.

When it is necessary to fill a short-term appointment which has been authorized by the Board.

When the library has been awarded a grant which includes funds for additional, temporary personnel.

Temporary employees shall serve at the discretion of the Director.

No temporary appointment shall exceed six months unless a longer period is stipulated by the board or under conditions of a grant or contract.

Not eligible for benefits unless a longer period is stipulated under conditions of a grant or by the library board.

### 7.2.6.3 Evaluations: Employees shall be evaluated yearly.

New employees shall be evaluated frequently, ideally at three months, six months, and one year.

### 7.2.6.4 Hiring, Discipline, and Discharge: Whitman County Library is an "At Will" employer. Thus all hiring, disciplinary action, and/or discharge of employees will be based upon employee performance and will be at the discretion of the library director. Discharge can be, but is not limited to the following reasons: Failure to meet performance standards and/or unsatisfactory performance evaluation. Drinking intoxicating beverages, or the illegal use of drugs on the job, or arriving on the job under the influence of intoxicating beverages or drugs. Violation of a duty. Insubordination. Breach of discipline. Being absent from work without first notifying and securing permission from the employee's supervisor. Being habitually absent or tardy for any reason. Misconduct. Conviction of a felony or of a misdemeanor involving moral turpitude. Using religious, political, or fraternal influence. Accepting fees, gifts, or other valuable items in the performance of the employee's official duties for the library.

### 7.2.6.5 Restriction on Employment: Employment with the library requires an employee to conduct any and all personal matters in a manner that will bring no discredit to the library. This

## Whitman County Rural Library By-Laws and Policies

includes proper use of staff computers as spelled out in numbers 9 & 10 of the computer policies (6.1 Computer Use and Internet Policies).

Peddling or solicitation of any kind on Library premises or during regular working hours is not allowed without the express written consent of the Director.

### 7.2.6.6 Political Activity:

The rules governing political activities of employees shall follow the provisions of RCW 41.06.250 as amended by CH. 136, Laws of 1974, 1st Ex. Sess:

Solicitation for or payment to any partisan, political organization or for any partisan, political purpose of any compulsory assessment or involuntary contribution is prohibited: PROVIDED, HOWEVER, That officers of employee associations shall not be prohibited from soliciting dues or contributions from members of their associations. No person shall solicit on state property or property of a political subdivision of this state any contribution to be used for partisan, political purposes.

Employees of the state or any political subdivision thereof shall have the right to vote and to express their opinions on all political subjects and candidates and to hold any political party office or participate in the management of a partisan, political campaign. Nothing in this section shall prohibit an employee of the state or any political subdivision thereof from participating fully in campaigns relating to constitutional amendments, referendums, initiatives, and issues of a similar character, and for nonpartisan offices.

A classified civil service employee shall not hold a part time public office in a political subdivision of the state when the holding of such office is incompatible with, or substantially interferes with, the discharge of official duties in state employment.

For persons employed in state agencies or agencies of any political subdivision of the state the operation of which is financed in total or primarily by federal grant-in-aid funds political activity will be regulated by the rules and regulations of the United States civil service commission.

The provisions of this section shall supersede all statutes, charter provisions, ordinances, resolutions, regulations, and requirements promulgated by the state or any subdivision thereof, including any provision of any county charter, insofar as they may be in conflict with the provisions of this section.

[1974 ex.s. c 136 § 1; 1961 c 1 § 25 (Initiative Measure No. 207, approved November 8, 1960).]

### 7.2.6.7 Personal Appearance and Conduct:

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It shall be the responsibility of all employees to represent the library to the public in a manner which shall be courteous, efficient, and helpful. They must arrive for work clean, well-groomed, and appropriately dressed.

Attitude: All employees should remember that the main function of the library is to provide service to the public. It is the duty of all employees to do this effectively and efficiently. Wholehearted cooperation with the public, your supervisor, your fellow employees, and Director is the best way to accomplish this task.

### 7.2.6.8 Volunteers:

A volunteer is defined as someone who freely donates their time to the library on a regular and consistent basis to further the library's mission. This definition does not include individuals involved with special events, author visits, and similar programs or services. An individual must fill out a volunteer application and submit it to the library in order to be considered a library volunteer. The library will accept volunteers on an ongoing and as-needed basis. Volunteers will be trained as necessary to complete the tasks they are assigned to perform, such as shelving or cleaning.

The library will make the decision as to where to place a volunteer and what work they are to do. The library reserves the right to change what work a volunteer does as the needs of the library demand. Discharge of a volunteer falls under the same guidelines as outlined in section 7.2.6.4 for staff.

In the event that a volunteer would like to work directly with public patrons, such as with a library program, a background check at the library's discretion is required. A background check is only required for volunteers, and will not be required for cases as mentioned above, such as author visits. In the event that a volunteer can provide evidence of a suitable and timely background check from a reputable organization, such as a school district, the library will not require a further check to be made. All decisions on when a background check will be required are ultimately to be decided by the library director. Volunteers will not begin service until after they have completed and cleared a background check, or provided documentation as discussed above. Volunteers working directly with patrons are to be monitored by a staff member, and not left alone with patrons.

### 7.2.7 Absences:

#### 7.2.7.1 General:

Payments may be made to employees for absence during their assigned hours only for the purpose and to the extent provided in sections which deal with paid holidays, vacation, sick leave, administrative leave, civil leave, and compensatory time.

## Whitman County Rural Library By-Laws and Policies

Employees shall be credited with accrued vacation and sick leave with pay at the end of each month. These hours are not available for use until earned.

All types of leave and all overtime must be approval by the Director (or designee).

The library's official work week is Sunday-Saturday and full time employees are not allowed to work more than 40 hours within that time frame unless they have the expressed written consent of the director (or designee). In such cases, overtime hours will be compensated at 1.5 times the normal rate of pay.

### 7.2.7.2 Library Closures and Holidays:

All branches of Whitman County Library will be closed for the following holidays:

New Year's Day – January 1<sup>st</sup>

Martin Luther King's Birthday – 3<sup>rd</sup> Monday of January

President's Day – 3<sup>rd</sup> Monday in February

Memorial Day – Last Monday in May (3-day weekend)

Juneteenth – June 19<sup>th</sup>

Independence Day – July 4<sup>th</sup>

Maintenance Week – First full week each August (Mon thru Sun)

Labor Day – 1<sup>st</sup> Monday in September (3-day weekend)

Veteran's Day – November 11<sup>th</sup>

Thanksgiving – 4<sup>th</sup> Thursday in November

Friday after Thanksgiving

Christmas Eve – December 24<sup>th</sup>

Christmas – December 25<sup>th</sup>

New Year's Eve – after 3 p.m. December 31<sup>st</sup>

Full time employees will receive 11 paid holidays per year. In the event that a holiday falls on a day outside of an employee's regular work schedule, they will receive one floating holiday to use during the calendar year in which the holiday occurs. Current paid holidays are:

New Year's Day

Martin Luther King's Birthday

President's Day

Memorial Day

Juneteenth

Independence Day

Labor Day

Veteran's Day

Thanksgiving

Friday after Thanksgiving

Christmas

## Whitman County Rural Library By-Laws and Policies

### 7.2.7.3 Free Day:

Two free days of leave will be allotted each full-time employee per year and MUST BE TAKEN BEFORE NOVEMBER 1 of each year.

### 7.2.7.4 Vacation:

Anniversaries will be the beginning of the year following the employee's date of employment.

*Full-time employees* will receive basic vacation of 12 days per year. The Director will receive 15 vacation days per year. All full-time employees, including the Director, may carry-over only 12 vacation days into the next calendar year. Vacation and Free Days beyond 96 hours as of December 31<sup>st</sup> will be lost.

*Full-time employees and the director* will be credited additional vacation time for longevity at a rate of .33 per month on the anniversary date of their full-time employment.

Upon resignation or termination of employment, eligible employees who have vacation time will be paid out up to 96 hours of that time. Employees who have accumulated vacation time that exceeds 96 hours upon resignation or termination, those hours will be lost and not paid out.

Non-benefit positions (i.e. part-time positions) will not accrue vacation.

### 7.2.7.5 Sick Leave:

Is granted to employees in order that they need not work when ill nor suffer loss of pay due to illness. It is not to be used as vacation or for any other purposes than those listed below:

- Illness of the employee.

- Illness in the employee's immediate family (spouse, children, dependent relatives, and foster children).

- Death in the immediate family (maximum 5 days).

- Other funeral attendance at the discretion of the Director.

- Medical/dental appointments – time recorded by hours taken (appointments taking less than one hour will not be counted).

- Vacation days will not be used for illness unless all sick leave is exhausted.

*Full-time employees* accumulate sick leave at the rate of 1 day per month to a maximum of 60 WORKING DAYS (480 hours) that will be carried forward into the next month. The sick leave hours of employees who have earned over 480 hours will be converted to vacation hours at a 50% rate.

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*Non-benefit positions*, (i.e. part-time employees) will accrue sick leave as enacted under Initiative 1433, effective 01/01/2019.

Sick leave shall be reported at the beginning of any period of sick leave to the Director by the employee or a person designated to act for him prior to the beginning work hour. The employee or a delegate shall continue to notify the Director at reasonable intervals.

Extended illness (more than 3 days) may require a doctor's certificate UPON REQUEST from the Director.

Sick leave may be extended under special circumstances by Board permission. With Board permission, after sick leave is exhausted, employees may take leave without pay. At the employee's option, vacation may be used as sick leave, but sick leave may not be used as vacation.

Upon resignation or termination of employment, eligible employees who have accumulated sick leave time will lose those hours and not have them paid out. Eligible employees who take an approved leave of absence without pay from the Director may have their sick leave restored if returning to work at the same level. Eligible employees on approved leave of absence without pay have the option to receive COBRA benefits when they leave as stated in 7.9 Cobra Coverage Rights.

In a case where an employee is forced to take an extended sick leave which exhausts all of their accumulated sick and vacation leave, fellow employees may donate their accumulated sick or vacation leave towards this employee's sick leave on a day-for-day basis. All donations are voluntary and confidential and must be approved by the Director and properly reported to the business manager. (Added Nov. 18, 1996).

Health Insurance Portability and Accountability Act (7.7 Notice of Health Insurance Portability and Accountability Act of 1997 – HIPPA).

### 7.2.7.6 Administrative Leave:

Administrative leave may be given to attend meetings as authorized by the Director and the Board. Such time will be counted as regular work time.

### 7.2.7.7 Leave Without Pay:

Leave without pay may be granted on a case-by-case basis with permission of the Director and the Board. Unless for educational purposes, leave without pay shall not exceed six months.

No vacation or sick leave benefits or any other benefits shall accrue while the employee is on leave of absence without pay, and the employee's anniversary date will be adjusted accordingly.

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Requests for leave without pay shall be made in writing to the Director and reviewed by the Board.

Family & Medical Leave – FMLA/FLA (7.8 Family and Medical Leave  
Personnel Procedure – FMLA/FLA)

### 7.2.7.8 Civil Leave:

Any employee who is called to jury duty or is subpoenaed to appear as a witness before any court or other public body, in any proceeding in which the employee is not a party of interest in the litigation, shall receive from the Whitman County Library his/her normal rate of pay for the time actually required to be absent from work because of such obligation. However, if such employee shall receive compensation for jury duty or as a witness, such compensation received, excluding mileage reimbursement, shall be deposited into the appropriate general county fund. Any such absence from duty shall not be considered sick or annual leave. If an employee is called to jury duty or subpoenaed as a witness in Whitman County and is dismissed prior to the end of the work shift, the employee shall report to work for the remainder of the work shift.

### 7.2.7.9 Maternity Leave:

Disabilities caused or contributed to by pregnancy, miscarriage, abortion, childbirth, and recovery there-from, are, for all job-related purposes, to be considered temporary disabilities, and, as such, will follow regular sick leave policy.

A six-week period of recovery after childbirth or related circumstances shall be considered reasonable. Sick leave and/or vacation may be used for this recovery period. Additional time off without pay may be requested if sick leave or vacation has been exhausted.

To be eligible for sick leave because of childbirth or related circumstances, an employee shall give her/his employer 2 weeks notice (if possible) of her/his anticipated date of departure and intention to return.

Women employees cannot categorically be denied the opportunity to work during the entire period of pregnancy but may continue to work as long as her physician concurs in her ability to work and demands of the job are met. All points listed under "Maternity" shall apply equally to married and unmarried women and men.

### 7.2.7.10 State Industrial Compensation:

Any employee who is eligible for State Industrial Compensation for time off because of an "ON THE JOB" injury shall be paid sick leave in the amount of the difference between his regular pay and that paid by State Industrial after

## Whitman County Rural Library By-Laws and Policies

the first three days off the job. Full amount of sick leave shall be paid for the first three days. Should an employee later be paid by State Industrial for the first three days, it shall be credited to the library from money due the employee in the next payroll period.

### 7.2.8 Salaries and Related Benefits:

The Director shall make recommendations for staff wage levels and increases with the Board of Trustees reviewing and approving them annually.

Wage increases and/or cost of living raises are set by the Director and approved by the Board based on merit, performance of duties and the availability of funds.

The wage for any position will be established prior to hiring new personnel by the Director (or designee).

A review of staff wages in comparison to those for comparable library positions within the State of Washington should be done on a regular basis. The Director or Board may choose to adjust certain salaries to assure that the library retains quality personnel.

Each benefited employee of Whitman County Library will have money deducted from his/her paycheck for the following benefits: Social Security, Washington State Industrial Insurance, and, if applicable, retirement benefits through Washington Public Employee Retirement System (PERS). PERS requirements for eligibility may exclude some employees. Spouse or dependent coverage is paid for by the employee.

### 7.2.9 Vehicle Policy:

This policy is to inform each Whitman County Library employee of how the Library Automobile will be used. The Whitman County Library automobile will be used for official business only.

Employees shall wear a seat belt at all times while driving or riding in a Whitman County Library vehicle.

Employees shall track the mileage of each trip in the book provided in the vehicle.

No smoking is allowed in Whitman County Library vehicles.

Employees shall at all times observe safe driving procedures when operating a Whitman County Library owned vehicle. Employees are personally responsible for any driving infractions or fines as a result of their driving.



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Non-employee, non-business associates shall not ride in or drive Whitman County Library vehicles without prior approval from the Director.

All Whitman County Library vehicles shall be equipped with the following emergency equipment:

- Flashlight

- Flares

- First Aid Kit

- Immediately report any missing or used equipment to the Business Manager for replacement.

Any accident occurring in a Whitman County Library vehicle shall be reported to the Director as soon as possible and in all cases within 48 hours of occurrence.

Employees may not drive a Whitman County Library vehicle for Whitman County Library business without prior approval of their supervisor. Before approving a driver who is driving a Whitman County Library vehicle for the first time, the Library shall have on file the employee Driver's License number and verification of insurance.

Employees approved to drive on Whitman County Library business are required to inform their supervisor of any changes that may affect either their legal or physical ability to drive or their continued insurability.

Employees are not permitted, under any circumstances, to operate a Whitman County Library vehicle, or a personal vehicle on Library business, when any physical or mental impairment causes the employee the inability to drive safely. This prohibition includes, but is not limited to, circumstances in which the employee is temporarily unable to operate a vehicle safely or legally because of injury, illness, or medication.

Employees shall not operate any Whitman County Library vehicle at any time, or operate personal vehicles while on Library business, with any alcohol, illegal drugs or drugs that cause impairment in their blood system.

Employees are required to report any safety concerns about a vehicle immediately so that repairs can be made. Some examples might be brakes, lights, steering mechanisms, seatbelts, and windshield wipers.

### 7.2.10 Travel in a Personal Vehicle:

Employees and Board members will be paid mileage at a rate approved by the Board when using their personal vehicles in the course of doing library business. Director and/or Board approval is needed PRIOR TO MAKING THE TRIP.

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In addition to the paid mileage, when traveling on library business, or for additional training, each employee is allowed food reimbursement. Lodging costs are also paid when an overnight stay is required. If the employee has a library credit card, they may use that credit card for meals and/or other travel expenses. All travel for library must be pre-approved by the director or designee.

Exceptions to the above mentioned policies may be negotiated with the Director and/or the Board of Trustees upon written request.

Employees are required to have auto insurance on any personal vehicle used for library business, as it is their auto policy that is liable in case of accident. Employees are personally responsible for any accidents, driving infractions or fines as a result of their driving.

### 7.2.11 Reimbursement Policy for Employee Work, Presentations, or Travel Outside Whitman County Library:

Employees receiving an honorarium, reimbursement, or compensation for work, presentations, or travel outside of Whitman County Library but related to their work at WCL must have such activities approved by the library director or designee.

Should work, presentations, or travel be on Whitman County Library time or in the library vehicle, all compensation received by employees shall be made or forwarded to WCL.

Should the work, presentations, or travel be on the employee's own time, vacation time, or in a personal vehicle, all compensation should remain with the employee.

### 7.2.12 Bereavement:

If any staff member or their immediate family passes away, the library may provide a memorial plate in a book of the family's choosing. This will be in lieu of a traditional floral arrangement or other memorial. The library will also provide a sympathy card signed by all available staff members.

### 7.2.13 Library Closures due to Inclement Weather, Natural Disaster, Public Health Crisis, or Other Conditions:

It may be necessary in cases of severe weather, natural disaster, pandemic, or unforeseen events, to limit services, provide emergency services only, and/or close the library. Under such circumstances, the Director or designee will make decisions about which services should be limited, are essential, and/or to close the library. In cases where employee work hours are eliminated and/or if the library is closed under this policy, employees will be compensated as if the library were open. For those with benefits, said actions will not count against the employees' sick leave or vacation.

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Absence due to an employee's inability to report for scheduled work when the library is open, or providing limited or emergency services shall not be paid. The only exceptions shall be if an employee is unable to work due to the official closure of a county road or state highway, or prior approval by the library director or designee.

In the event a branch manager is unable to staff the branch with a substitute or other library staff, they may close for the day, with approval from the director or designee. Employees will not be compensated for these closures.

### 7.2.14 Workplace Visitors and Personal Business as Related to Library Resources and Computers

Workplace visits, personal phone calls and time spent discussing personal matters with fellow staff shall be considered personal time. Paid time for breaks (15 minutes for every 4 hours) can be used to cover these situations. Lunch hours can also be adjusted or work days lengthened to cover time spent with visitors, phone calls or personal employee conversations.

Children, family members or other guests shall not accompany library employees to work. Occasional exceptions may be granted with prior approval from a supervisor.

Misuse of public property is strictly prohibited. Employees are required to pay for library supplies, paper, photocopies, or other items for which the public is also required to pay a fee.

Any action that violates the law, violates library computer policies or affects the ability of a staff computer to perform its work is strictly prohibited. Online shopping, games, personal emails and other computer uses are allowable during breaks, lunch hour or off duty hours.

Staff should be sensitive to colleagues' ability to work and also to the appearance of impropriety to the public as related to their interactions and/or use of public properties. All employees should seek the advice of supervisors as needed.

### **7.3 Discriminatory Workplace Harassment Policy and Complaint Procedure**

The purpose of this Policy is to clearly establish Whitman County Library's (WCL) commitment to provide a work environment free from harassment, to define discriminatory harassment, and to set forth the procedure for investigating and resolving internal complaints of harassment. Because of the tremendous importance of a workplace free from any form of harassment, each supervisor or manager shall review this policy annually. Additionally, upon hire, this policy shall be fully discussed with each employee, to ensure that its contents are known by the employee.

All jobs with the WCL are extremely important to the members of our community. It is critical that all employees treat all other employees with dignity and respect. It is the responsibility of each and every employee, supervisor, and manager to make sure that there is no inappropriate behavior occurring in the workplace. Inappropriate behavior will not be tolerated. WCL has committed itself to eliminating harassment of any kind. Zero Tolerance is our rule and all employees are expected to conform to this policy of Zero Tolerance.

This Policy applies to all terms and conditions of employment, including but not limited to hiring, placement, promotion, disciplinary action, layoff, reinstatement, transfer, leave of absence, compensation, and training.

**Policy:**

Harassment of an applicant, contractor, customer, supervisor, manager, or employee by a supervisor, management employee, or co-worker on the basis of race, religion, color, national origin, ancestry, disability, medical condition, marital status, pregnancy, sexual orientation, gender, or age is explicitly in violation of State and/or Federal law and will not be tolerated by WCL.

Employees, supervisors, or managers found to be participating in any form of job based harassment or retaliating against any other employee shall be subject to disciplinary action up to and including termination from WCL.

**Responsibilities:**

**Management:**

It is the responsibility of the Director and the Board of Trustees to develop this policy, keep it up to date, and to ensure that any violation of this policy brought to their attention is dealt with fairly, quickly, and impartially. The Director and the Board of Trustees also have the responsibility of setting the proper example.

**Supervisors:**

It is the responsibility of supervisors to enforce the policy, to make a review with each new employee to ensure they know the policy, and to regularly check the workplace and environs to ensure the policy is being followed.

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When a deviation from this policy is noted or reported, supervisors shall bring this information to management immediately. All supervisors also have the responsibility of setting the proper example.

### Workers:

It is the responsibility of each and every employee to know the policy and to follow the policy. It is imperative that every employee treats every other employee with dignity and respect.

### Definitions:

For purposes of clarification, harassment includes but is not limited to the following behaviors:

#### Verbal Harassment:

Epithets, derogatory comments, slurs, propositioning, or otherwise offensive words or comments on the basis of race, religious creed, color, national origin, ancestry, disability, medical condition, marital status, pregnancy, sexual orientation, gender, or age, whether made in general, directed to an individual, or to a group of people regardless of whether the behavior was intended to harass. This includes but is not limited to inappropriate sexually oriented comments on appearance, including dress or physical features, sexual rumors, code words, and race oriented stories.

#### Physical Harassment:

Assault, impeding or blocking movement, leering, or the physical interference with normal work, privacy, or movement when directed at an individual on the basis of race, religious creed, color, national origin, ancestry, disability, medical condition, marital status, pregnancy, sexual orientation, gender, or age. This includes pinching, patting, grabbing, inappropriate behavior in or near bathrooms, sleeping facilities, and eating areas, or making explicit or implied threats or promises in return for submission to physical acts.

#### Visual Form of Harassment:

Derogatory, prejudicial, stereotypical, or otherwise offensive posters, photographs, cartoons, notes, bulletins, drawings, or pictures on the basis of race, religious creed, color, national origin, ancestry, disability, medical condition, marital status, pregnancy, sexual orientation, gender, or age. This applies to both posted material or material maintained in or on WCL equipment or personal property in the workplace.

#### Sexual Harassment:

Any act which is sexual in nature and is made explicitly or implicitly a term or condition of employment, is used as the basis of an employment decision, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile or offensive work environment. The First Amendment allows anyone to associate with anyone else they desire. It is natural for

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people who meet in the workplace to sometimes become romantically or financially involved, and it is not the Department's intent to interfere with any dating or business relationship. Any involvement between employees must be voluntary and desired by both parties. However, many problems have developed in government organizations because of dating and business relationships, and they can interfere with our goal of having a sound professional work environment.

### Dating Co-Workers:

With respect to dating, it is not inappropriate for a person to ask out a co-worker.

However, if you do not want to go out with another employee, it is imperative that your response to the request is firm and definite. After this firm, definite response has been made; it is inappropriate for the requesting party to make any further attempt to initiate a dating relationship. Repeated requests for a dating relationship constitute Sexual Harassment. It is also inappropriate for any relationship to interfere with normal work operations in any manner. Personnel who desire to become involved with someone in the workplace must be aware of the following guidelines.

There shall be no dating or business activities on company time or company property.

There shall be no use of company property to arrange dating or business activities.

All behavior between employees shall be behavior conducive to a sound professional work environment at all times when on company property or on company time. Hand holding, kissing, hugging, sexual comments, and other behavior generally associated with a dating relationship are inappropriate while on company time or company property.

Any relationship, whether dating or business, involving personnel at different levels on the chain of command (or where one party has functional supervision over another) shall be reported by the person of higher rank to the Director immediately. Failure to report this relationship is a violation of this policy. The Director shall make recommendations to ensure that this relationship will not detract from a sound professional work environment. Such recommendations may include the transfer of the higher-ranking person to another position.

### Complaint Procedure:

#### Confrontation:

If any person feels they are the victims of any form of harassment, they should inform the person(s) participating in this behavior that he/she finds it

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offensive. This one-on-one confrontation has been demonstrated to be an effective way to end harassing behaviors. If the inappropriate behaviors do not stop, the offended employee can initiate either an informal or formal complaint as described below. Because confrontation is difficult for some people and because of the complex nature of harassment, employees are not required to confront an offending party prior to initiating this complaint procedure.

### Informal Complaint:

Any employee, contractor, customer, or job applicant who believes he or she is a victim of discriminatory workplace harassment should make a complaint orally or in writing with any of the following:

- A Supervisor
- The Director

Any supervisor, who observes inappropriate behavior or receives a harassment complaint, shall notify the Director immediately.

An informal resolution will be attempted whenever appropriate. If the informal resolution process is unsuccessful, the complainant may direct a formal complaint to the Library Director.

### Preliminary Complaint:

Upon notification of a harassment complaint, the supervisor and/or the Director shall conduct an initial investigation to make a preliminary determination as to whether there is any merit to the complaint. If no merit is found, the supervisor and/or the Director may still meet with the parties involved to attempt to conciliate the complaint or conflict between the parties.

### Formal Complaint:

If after an initial investigation is conducted, there is no resolution and/or no conciliation of the preliminary complaint, a formal written complaint can be filed by the complainant. A written statement of charges shall be completed, signed, and given to the Director within five (5) days of failed resolution.

Upon receipt of the formal written complaint, the Director will contact the alleged harasser(s) who will be informed of the basis of the complaint, will be given a copy of the statement of charges, and will be provided an opportunity to respond. The response shall be in writing, addressed to the Director, and received by the Director within ten (10) calendar days after being notified of the complaint. Concurrently, a formal investigation of the complaint may be commenced.

Upon receipt of the response, the Director may further investigate the formal complaint. Such investigation may include interviews with the complainant, the accused harasser(s), and any other persons determined to possibly have

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relevant knowledge concerning the complaint. This may include victims of similar conduct.

Factual information gathered through the investigation will be reviewed to determine whether the alleged conduct constitutes harassment, giving consideration to all factual information, the totality of the circumstances including the nature of the verbal, physical, visual, or sexual conduct and the context in which the alleged incident(s) occurred.

The results of the investigation and the determination as to whether harassment occurred shall be final and binding and will be reported to appropriate persons including the complainant, the alleged harasser(s), and the supervisor within twenty (20) calendar days from the receipt of the response.

### Disciplinary Action:

If harassment is determined to have occurred, the Director shall take and/or recommend to the Board of Trustees prompt and effective remedial action against the harasser. The action will be commensurate with the severity of the offense, up to and including termination from employment. If discipline is imposed, the nature and extent of the discipline will not be divulged to the complainant.

### Retaliation:

Retaliation in any manner against a person for filing a harassment charge or initiating a harassment complaint, testifying in an investigation, providing information, or assisting in an investigation, is expressly prohibited and subject to disciplinary action up to and including removal. The Director will take reasonable steps to protect the victim and other potential victims from further harassment, and to protect the victim from any retaliation as a result of communicating the complaint.

### Confidentiality:

Confidentiality will be maintained to the fullest extent possible in accordance with applicable Federal, State and local law.

### False Complaints:

Any Complaint made by an employee of WCL regarding Job Based Harassment which is conclusively proven to be false, shall result in discipline. This discipline may include dismissal from employment. This section is not intended to discourage employees from making complaints regarding Job Based Harassment. However, false complaints adversely impact the workplace and the career of the accused, even when disproved, and will not be tolerated.

### Limitations:



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The use of this procedure is limited to complaints related to discriminatory workplace harassment on the basis of race, religion, color, national origin, ancestry, disability, medical condition, marital status, pregnancy, sexual orientation, gender, or age. All other complaints shall be handled through the Employee Grievance Procedure as established by the Employee Policy Manual.

### Distribution:

This policy shall be available to all employees, supervisors, managers, and Trustees of Whitman County Library. Any questions, concerns or comments related to this policy should be directed to the Director.

## 7.4 Risk Management Policy

### Purpose/Objective:

To establish risk management and safety policies to ensure a safe and healthy work environment.

To encourage staff and the general public to fully participate in said safety procedures.

To provide direction for efficient and safe operation of Library services and the maintenance thereof.

To develop and implement policies that will meet the safety criteria established by state regulations and consistent with suggested risk management procedures by the Library's insurance carrier.

### Loss Control Responsibilities:

The Director, as the Library's chief administrative officer will have the overall responsibility to implement and monitor the loss control policies with specific responsibilities as follows:

- Appoint a safety chair to implement the risk management program for the Library.

- Investigate accidents to ensure that cause factors are identified and proper corrective action is taken to prevent recurrence.

- Audit the program, with the safety chair, to appraise it for effectiveness in all situations.

The Safety Chair will be responsible for the direction of the risk management program, specifically:

- Make recommendations to the Director for approval so that appropriate action can be taken.

- Maintain a risk management program that includes current practices that are effective in preventing injuries, vehicular safety, maintenance of Library buildings and equipment, and provision of efficient operation of services.

- Inform the Director and the Board of Trustees about status of matters affecting the risk management program.

- Coordinate compliance with federal, state, and local safety laws.

- Provide adequate safety orientation, job training safety, and continuing safety instructions to all employees and volunteers. There must be an annual formal safety review at each annual staff development day. Winter driving safety instruction should be included in each branch managers November visit to headquarters.

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The Library Board of Trustees, by resolution, will endorse all risk management policies and procedures, and will strive to allocate available and adequate funding to comply with requirements contained herein.

All Library Employees will adhere to all adopted policies to ensure efficient operation and maintenance of Library services and for their own safety and protection as well as the public they serve. Specific requirements as a *condition of employment* include:

Promptly and accurately report all accidents and injuries.

Promptly report all unsafe actions and conditions to their supervisor.

Keep work areas and access to these work areas, clean and safe at all times.

Study, observe and obey all safety practices including the wearing of personal protective equipment when it is needed.

Cooperate with other employees to eliminate accidents.

### Vehicle Safety:

The risk management policy applies to all activities within the scope of Library operations, including non-owned vehicles:

#### Vehicle Inspections:

The library vehicle will be serviced regularly and inspected at that time. Any defects or concerns with the vehicle should be reported to library administration, so they can be remedied before the vehicle is driven. A list of suggested tools to carry in the library vehicle is attached to this document.

#### Vehicle Maintenance:

The vehicle operator/owner is expected to maintain a safe vehicle for use on library business.

#### Vehicle Operation:

All vehicles will be operated only by employee-owners, and the use of seat-belts are mandatory when vehicle is in operation.

Vehicle operators/owners must possess a valid State Driver's license, and submit a record of same to be placed in his/her personnel file.

Vehicle operators/owners must provide proof of the required state insurance coverage.

Employees will be reimbursed for the travel/mileage expenditures at the current Whitman County rate per mile when use is pre-approved by the Director. A minimum liability coverage of \$300,000 is advised.

### General Safety

#### Personal Safety:

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All employees must be fully aware of potential problem patrons and adhere to the "Problem Patron Manual". Especially each branch manager, when working alone, must have access to local law enforcement. Every employee must act upon their own "comfort" level in any situation and their decision should be respected.

Each employee, by law, must take a 15 minute break mid-morning and mid-afternoon in addition to at least a 30 minute lunch break. This is to insure the most productive work patterns and minimize stress and fatigue.

### Personal Protective Equipment:

Any Library employee who performs a task that could result in injury or illness must wear protective equipment while performing such tasks. Examples include (but are not limited to):

Rubber gloves must be worn when working with any blood-borne pathogens (blood, vomit or any bodily fluid).

Rubber gloves must be worn when cleaning the public restrooms (see above).

### Library Property:

Library buildings will contain necessary emergency equipment and supplies for fire protection and will be checked annually for any necessary repair or replacement. Fire/emergency exits will be well marked and easily accessible. The Headquarters building will be checked annually by the Fire Department to prevent fire hazards. Employees will be informed of evacuation procedures.

Employees will report any obvious or potential safety or health hazard to their immediate supervisor.

Exterior walks must be kept free of ice, snow, and other hazards at all locations.

### First Aid and CPR:

Library employees are encouraged to obtain a First Aid/CPR card with Director or Supervisor approval and be compensated for their time.

### Handicap Access:

It is the intention of the Library Board of Trustees that safe access to our facilities be provided to all people, including those with handicaps.

Every effort should be made by each staff member to be aware of these needs and provide assistance when asked.

### Vehicle Tools List:

First aid kit

Wheel blocks

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Fuses  
Jumper cables  
Ice scraper  
Shovel  
Hand tool box  
Screwdrivers  
Pliers  
Adjustable wrenches  
Flashlight  
Tow chain  
Warning triangle  
Handyman jack  
Blanket, gloves, and stocking cap.

## **7.5 Reporting Improper Governmental Action and Protecting Employees Against Retaliation – Whistle Blower’s Policy**

### **Policy Statement:**

It is the policy of the Whitman County Rural Library (1) to encourage reporting by its employees of improper governmental action taken by Whitman County Rural Library officers or employees and (2) to protect Whitman County Rural Library employees who have reported improper governmental actions in accordance with Whitman County Rural Library’s policies and procedures.

### **Definitions:**

As used in this policy, the following terms shall have the meanings indicated:

#### **Improper Government Action:**

Any action by a Whitman County Rural Library officer or employee that is undertaken in the performance of the officer’s or employee’s official duties, whether or not the action is within the scope of the employee’s employment; and that (1) is in violation of any federal, state, or local law or rule (2) is an abuse of authority, (3) is of substantial and specific danger to the public health or safety or (4) is a gross waste of public funds.

“Improper governmental action” does not include personnel actions, including employee grievances, complaints, appointments, promotions, transfers, assignments, reassignments, reinstatements, restorations, reemployments, performance evaluations, reductions in pay, dismissals, suspensions, demotions, violations of collective bargaining or civil service laws, alleged violations of labor agreements or reprimands.

#### **Retaliatory Action:**

Any adverse change in the terms and conditions of Whitman County Rural Library employee’s employment.

#### **Emergency:**

A circumstance that if not immediately changed may cause damage to persons or property.

### **Procedures for Reporting:**

Whitman County Rural Library employees who become aware of improper governmental actions should raise the issue first with their supervisor. If requested by the supervisor, the employee shall submit a written report to the supervisor, or to some person designated by the supervisor, stating in detail the basis for the employee’s belief that an improper governmental action has occurred. Where the employee reasonably believes the improper governmental action involves his or her supervisor, the employee may raise the issue directly with the Human Resources Director of Whitman County Rural Library.

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In the case of an emergency, where the employee believes that damage to persons or property may result if action is not taken immediately, the employee may report the improper governmental action directly to the appropriate government agency with the responsibility for investigating the improper action.

The supervisor, or the Library Director, as the case may be, shall take prompt action to assist Whitman County Rural Library is properly investigating the report of improper governmental action. Whitman County Rural Library officers and employees involved in the investigation shall keep the identity for reporting employees confidential to the extent possible under law, unless the employee authorizes the disclosure of governmental action shall be advised of a summary of the results of the investigation, except that personnel actions taken as a result of the investigation may be kept confidential.

Whitman County Rural Library Employees may report information about improper governmental action directly to the appropriate government agency with responsibility for investigating the improper action if the Whitman County Rural Library employee reasonably believes that an adequate investigation was not undertaken by Whitman County Rural Library to determine whether an improper governmental action occurred, or that insufficient action has been taken by Whitman County Rural Library to address improper governmental action or that for other reasons that improper governmental action is likely to recur.

Whitman County Rural Library employees who fail to make a good-faith attempt to follow Whitman County Rural Library's procedures in reporting improper governmental actions shall not receive the protections provided by the Whitman County Rural Library in these procedures.

### Protection Against Retaliatory Actions:

Whitman County Rural Library officials and employees are prohibited from taking retaliatory action against a Whitman County Rural Library Human Resources Director. Whitman County Rural Library officials and supervisors shall take appropriate action to investigate and address complaints of retaliation.

Employees who believe that they have been retaliated against for reporting an improper governmental action should advise their supervisor or the Whitman County Rural Library Human Resources Director. Whitman County Rural Library officials and supervisors shall take appropriate action to investigate and address complaints of retaliation.

If the employee's supervisor or Library Director, as the case may be, does not satisfactorily resolve a Whitman County Rural Library employee's complaint

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that he or she has been retaliated against in violation of this policy, the Whitman County Rural Library employee may obtain protection under this policy and pursuant to the state law by providing a written notice to the Library Board of Trustees:

- Specifies the alleged retaliatory action and
- Specifies the relief requested.

Whitman County Rural Library employees shall provide a copy of their written charge to the Library Board of Trustees no later than thirty (30) days after the delivery of the charge to Whitman County Rural Library, the Whitman County Rural Library employee may request a hearing before a state administrative law judge to establish that a retaliatory action occurred and to obtain appropriate relieve provided by law. An employee seeking a hearing should deliver the request for hearing to the Library Director within the earlier of either fifteen (15) days of delivery of the Whitman County Rural Library's response to the charge of retaliatory action, or forty-five (45) days of delivery of the charge of retaliation to Whitman County Rural Library for response.

Upon receipt of request for hearing, Whitman County Rural Library shall apply within five (5) working days to the State Office Administrative Hearings for an adjudicative proceeding before an administrative law judge:

Office of Administrative Hearings  
PO Box 42488  
Olympia, WA 98504-2488  
360-664-8717

Whitman County Rural Library will consider any recommendation provided by the administrative law judge that the retaliator be suspended with or without pay or dismissed.

### Responsibilities:

The Library Director is responsible for implementing Whitman County Rural Library's policies and procedures for (1) reporting improper governmental actions and (2) for protecting employees against retaliatory actions. This includes ensuring that this policy and these procedures are (1) permanently posted where all employees will have reasonable access to them, (2) are made available to any employee upon request, and (3) are provided to all newly hired employees. Elected officials, department heads, and supervisors are responsible for ensuring the procedures are fully implemented within their areas of responsibility. Violations of this policy and these procedures may result in appropriate disciplinary action, up to and including dismissal.

### List of Agencies:

Following is a list of agencies responsible for enforcing federal, state, and local laws and investigating other issues involving improper governmental action. Employees having questions about these agencies or procedures for



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reporting improper governmental action are encouraged to contact the Library Director.

### Whitman County:

Whitman County Rural Library  
S. 102 Main  
Colfax, WA 99111  
509-397-4366

Whitman County Prosecutor  
PO BOX 30  
Colfax, WA 99111  
509-397-6250

Whitman County Public Health Department Administrator  
N. 310 Main  
Colfax, WA 99111  
509-397-6280

Whitman County Sheriff  
PO Box 470  
Colfax, WA 99111  
509-397-6266

### State of Washington:

Attorney General's Office  
1125 Washington St. SE  
PO Box 40100  
Olympia, WA 98504-0100  
360-753-6200

Human Rights Commission  
Great Western Building, #416  
W. 905 Riverside  
Spokane, WA 99201-1099  
509-456-4473

State Auditor's Office  
Legislative Building  
PO Box 40021  
Olympia, WA 98504-0021  
360-902-0360

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State Department of Ecology  
Eastern Regional Office  
4601 N. Monroe, Suite 202  
Spokane, WA 99205  
509-456-2926

Department of Labor & Industries  
Employment Standards  
901 N. Monroe St. Suite 100  
Spokane, WA 99201  
509-324-2600

State Liquor Control Board  
Enforcement Office  
111 N. Vista Road, Suite 3d  
Spokane, WA 99201  
509-625-5513

Department of Natural Resources  
PO Box 47001  
Olympia, WA 98504-7001  
360-902-1004

### United States:

Department of Agriculture Office of Inspector General  
1000 2<sup>nd</sup> Avenue  
Seattle, WA 98104

Alcohol, Tobacco, & Firearms Law Enforcement Office  
920 W. Riverside Ave.  
Spokane, WA 99201  
509-353-2862

U.S. Attorney  
3600 Seafirst Fifth Ave. Plaza  
Seattle, WA 98104

Department of Commerce  
2001 6<sup>th</sup> Ave, Suite 650  
Seattle, WA 98121  
206-553-5615

Consumer Product Safety Commission  
1111 3<sup>rd</sup> Ave, 810

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Seattle, WA 98101  
206-553-5276

U.S. Customs Service Office of Enforcement  
1000 Second Avenue, Suite 2300  
Seattle, WA 98101  
206-553-7531

U.S. Department of Education Office of the Inspector General  
915 Second Avenue  
Seattle, WA 98174-1099  
206-220-7800

Environmental Protection Agency  
Eastern Regional Office  
N. 4601 Monroe, Suite 202  
Spokane, WA 99205-1295

Equal Opportunity Commission  
Federal Office Building  
909 First Avenue, Suite 400  
Seattle, WA 98104-1061  
206-220-6883

Federal Emergency Management Agency  
Washington State Emergency Mgmt. Division  
Building 20, M/S: TA-20  
Camp Murray, WA 98430-5122  
253-512-7200

Federal Trade Commission  
Northwest Region  
2896 Federal Building  
915 Second Ave.  
Seattle, WA 99174  
206-220-6363

General Services Administration  
PO Box 41000  
Olympia, WA 98504-1000  
360-902-7300

Department of Health  
1112 SE Quince St.  
PO Box 47890

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Olympia, WA 98504-7890  
360-236-4010

Department of Housing & Urban Development  
909 1<sup>st</sup> Ave, Suite 200  
Seattle, WA 98104-1000  
206-220-5101

Interstate Commerce Commission  
1300 S. Evergreen Park Drive SW  
Olympia, WA 98504-7250  
360-664-1160

Department of Interior  
U.S. Fish & Wildlife Services Regional Director  
8702 N. Division  
Spokane, WA 99218  
509-456-4082

Department of Justice  
Drug Enforcement Administration  
1124 W. Riverside Ave, Suite L300  
Spokane, WA 99201  
509-353-2964

Department of Labor  
Occupational Safety & Health (OSHA)  
1111 Third Ave, Suite 715  
Seattle, WA 98101-3212  
206-553-5930

National Transportation Safety Board  
915 2<sup>nd</sup> Ave.  
Seattle, WA 98174  
206-220-7754

Department of Transportation  
Office of Inspector General  
915 2<sup>nd</sup> Ave. 664  
Seattle, WA 98174  
206-220-7754

Department of Treasury  
Bureau of Alcohol, Tobacco, & Firearms  
Seattle, WA 98101  
206-220-6450

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Department of Veterans Affairs  
Office of the Inspector General  
2030 9<sup>th</sup> Ave. 210  
Seattle, WA 98121  
206-553-2706

## **7.6 Drug Free Workplace**

Whitman County Recognizes alcohol and drug abuse as potential health, safety, and security problems. Whitman County expects all employees to assist in maintaining a work environment free from the effects of alcohol, drugs, or other intoxicating substances. Compliance with this substance abuse policy is made a condition of employment.

Whitman County prohibits employees from the unlawful manufacture, dispensing, possession, use, distribution, or purchase of non-prescribed drugs and intoxicants on County premises and from working under the influence of alcohol, illegal drugs, or intoxicants during working hours.

Employees are required to report to their jobs in an appropriate mental and physical condition, ready to work. If an employee may be impaired because of taking medication according to a doctor's prescription, he is expected to discuss it with his/her supervisor before commencing work that day.

Any employee who is convicted of any violation of any criminal drug statute (including misdemeanors) for a violation occurring on Whitman County property or time shall notify his or her supervisor within five (5) days of the date of conviction. A conviction includes any finding or guilty (including one agreed to by the employee), or pleas of no contest and/or any imposition of a fine, jail sentence, or other penalty.

Employees who have an alcohol or drug abuse problem are strongly encouraged to seek assistance through any programs offered through the county's health carriers or the Employees' Assistance Program. Any violation of this substance abuse policy will result in discipline up to, and including discharge.

Drug Abuse Education Program. Through its Wellness Program, the County will utilize all available County resources, such as provided through the Alcoholism Center and Health Department to educate employees as to the dangers of drug abuse.

Revised: June, 1992

## **7.7 Notice of Health Insurance Portability and Accountability Act of 1997 – HIPPA**

You are eligible to participate in a group health plan offered to Whitman County Library employees (to actually participate, you must complete an enrollment form and may need to pay part of the premium through payroll deduction).

Federal law (called HIPAA) requires that we notify you about two very important provisions in the plan. The first is your right to enroll in the plan under its “special enrollment provision” if you acquire a new dependent, or you or an eligible dependent decline coverage under this plan because of alternative coverage and later lose such coverage due to certain qualifying reasons. Second, this notice advises you of the plan’s preexisting condition exclusion rules that may temporarily exclude coverage for certain pre-existing conditions that you or your family may have.

### **Special Enrollment Provisions:**

#### **Rule #1:**

**Loss of Coverage:** If you are declining enrollment for yourself or your dependents (including your spouse) because of other health insurance coverage, and that coverage terminates due to certain qualifying reasons (i.e., exhaustion of COBRA or state law continuation rights; loss of eligibility for other coverage due to legal separation, divorce, death, termination of employment or reduction in hours; or because employer contributions for the other coverage ceases) you “may” in the future be able to enroll yourself or your dependents in this plan, provided that you request enrollment within 30 days after your other coverage ends, and that you meet certain other important conditions described in the plan SPD (Summary Plan Description).

#### **Rule #2:**

**Marriage, Birth, or Adoption:** In addition, if you acquire a new dependent as a result of marriage, birth, adoption, or placement for adoption, you “may” be able to enroll yourself, your spouse, and your newly acquired dependents, provided that you request enrollment within 30 days after the marriage, birth, adoption, or placement for adoption, and that you meet certain other important conditions described in the SPD.

#### **Important Warning:**

If you decline enrollment for you or your dependents, you must complete the attached “Form for Employee to Decline Coverage.” On the form, you are required to state that coverage under another group health plan or other health insurance coverage is the reason for declining enrollment, and you are asked to identify that coverage. If you fail to complete the form, neither you nor your dependents will be entitled to the special enrollment rights described in Rule #1 above, but you will still have the special enrollment rights described in Rule #2. Without the special enrollment rights described in Rule #1, you must wait until the plan’s annual enrollment period to enroll, except in

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cases of marriage, birth, adoption or placement for adoption. Further, when you eventually do enroll during annual open enrollment, you will be treated as a “late enrollee.”

### Pre-Existing Condition Provisions:

#### Pre-Existing Condition Defined.

A pre-existing condition is any condition (whether physical or mental), regardless of the cause of the condition, for which medical advice, diagnosis, care or treatment was recommended or received with the 3-month period ending on your enrollment date or, if earlier, the first day of the waiting period for such enrollment. (For new hires who are hired into a benefits eligible job, the 3-month period starts on the date of hire.)

#### For How Long is Coverage for Pre-Existing Conditions Excluded?

Our plan excludes coverage for your or your dependents’ pre-existing condition for 3 months, starting on your enrollment date, or, if earlier, the first day of the waiting period for such enrollment. (For new hires who are hired into a benefits eligible job, the 3-month period starts on the date of hire.)

#### Creditable Coverage:

Prior Periods of Coverage May Shorten or Even Eliminate our Plan’s 3-Month PCE Period. In general, you will be given “credit” for all days on which you had qualifying health care coverage *prior* to joining our plan. Days of prior coverage are “credited” by reducing, day-for-day, the 3-month pre-existing condition exclusion period you otherwise would face under the plan. More specifically, our plan’s 3-month PCE period will be shortened one day for each day that you had “*creditable coverage*” under another health plan, provided that you do not have a 63-day lapse in coverage after your creditable coverage ended. A waiting period to get into a plan generally does not count as a lapse in coverage. (Some people elect COBRA coverage under their prior plan just to ensure they don’t experience a 63-day lapse in coverage.) Creditable coverage includes coverage under a group health plan, health insurance coverage, a State health benefits risk pool, Medicare, Medicaid, and certain other coverages. Coverage you may have as a dependent—e.g., under your spouse’s plan—will count for this purpose.

#### Alternative Method:

Our plan uses the “*Alternative Method*” of crediting prior group health coverage. Under this method, the plan first will determine your creditable coverage under the Standard Method discussed in the preceding paragraph (under that method, the plan determines how much creditable medical coverage you had in general, without regard to the specific type of coverage). Then, the plan will count the number of days during that time on which you had coverage in each of the five following categories: (1) dental; (2) vision; (3) prescription drugs; (4) substance abuse treatment; (5) mental health. Your 3-month PCE period for coverage in each of these five categories of benefits



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will be reduced by the number of days or prior creditable coverage you show in each of the categories. A 63-day or greater lapse in coverage with respect to a specified category will not result in a loss of credit for prior coverage for that category, provided that you didn't have a lapse in coverage of your overall creditable medical coverage.

### How to Show Us That You Had Creditable Coverage Before Joining our Plan:

In order for the 3-month PCE period to be shortened as described above, you must show us that you had prior creditable coverage under another group health plan, a health insurance policy, a State health benefits risk pool, Medicare, Medicaid, etc. To demonstrate to us that you had other creditable coverage, you should provide us with a “*Certificate of creditable coverage*” from your prior plan. Other evidence of coverage will also be accepted. Most group health plans, health insurers and HMOs automatically furnish these certificates to individuals when coverage is lost. In addition, all plans, insurers and HMOs are required to provide these certificates upon request. The certificate will tell us how long you had coverage under your prior plan, and when it ended. Following the receipt of the certificate, we will ask the entity that issued the certificate to disclose additional information so we can determine your creditable coverage with respect to the five categories described under the alternative method, unless the original certificate contains that information.

You have the right to request a certificate from a prior plan, insurer, HMO, or other entity through which you had creditable coverage. If, after making reasonable efforts, you have difficulty getting a certificate from your prior plan, insurer, HMO, or other entity through which you had creditable coverage, please contact us at the address or phone number above, and we will attempt to assist you.

After we receive your certificate(s) or other evidence of coverage, we will determine whether, and for how long, our plans PCE period will apply to you. If we determine that our plan's PCE period will apply to you, we will advise you of this.

## 7.8 Family and Medical Leave Personnel Procedure – FMLA/FLA

**Purpose:**

To explain how the Family and Medical Leave Policy (Chapter 4.26) will be administered.

**Eligibility:**

To be eligible for leave under the federal Family and Medical Leave Act (FMLA), an employee must have worked for the District for 12 months (over any time frame, including a break in service not to exceed 7 years) and have worked a minimum of 1250 hours in the 12 months immediately preceding the request for leave. Except for Military Caregiver Leave, the District uses a rolling 12 month period calculated backwards from the date an employee first uses leave.

**Leave Entitlement:**

An eligible employee may be granted up to 12 workweeks of unpaid leave during any 12 month period for one or more of the following reasons:

For incapacity due to pregnancy, prenatal medical care, or child birth, and care of the newborn;

For pre-adoption activities, or to care for a child after placement in the home for adoption or foster care;

To care for the employee's parent, spouse, or child with a *serious health condition*;

For the employee's *own serious health condition* that makes the employee unable to perform the essential functions of his/her job;

**Exigency Leave:**

For a *qualifying exigency* arising from an employee's parent, spouse or child's call to active National Guard or military Reserve duty in support of a contingency operation.

Exigency leave is only available to family members of those in the National Guard and Reserves and to *certain retired military recalled to duty*.

Does not apply to families of active members of the regular armed forces\

Only applies to a federal call to duty or a state call *under order of the president*.

**Military Caregiver Leave:**

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An employee who is the spouse, son, daughter, parent, or *next of kin* of a covered service member with a serious illness or injury incurred in the line of duty while on active duty is entitled to a total of 26 *workweeks* of unpaid leave *during a single 12-month period* to care for the service member.

There is a separate “FMLA year” for *military caregiver leave*. It is measured *forward from the first day caregiver leave is used and ends 12 months later*.

There is a separate “FMLA year” for *military caregiver leave*. It is measured *forward from the first day caregiver leave is used and ends 12 months later*.

### Leave for Pregnancy Disability and to Care for Newborn:

In addition to the federal FMLA described above, state law provides certain additional leave rights in connection with pregnancy related disability and to care for a newborn.

#### Pregnancy Disability Leave:

For the period of time the employee is temporarily disabled or incapacitated due to pregnancy or childbirth, must be granted regardless of the employee’s eligibility for FMLA.

If the employee is eligible for FMLA leave, the Pregnancy Disability leave will run concurrently with her FMLA leave.

If the employee is not eligible for FMLA leave, the employee must use her paid leave(s) (per District sick and vacation leave policies) for Pregnancy Disability Leave.

Once the employee has exhausted her paid leave, she may be placed on leave without pay status for the duration of her Pregnancy Disability Leave.

#### The Washington Family Leave Act (FLA):

Provides certain additional leave benefits to care for a newborn.

Except for *qualifying exigency leave* and *service member caregiver leave*, the FLA largely mirrors the FMLA, with the same eligibility standards and entitlement to 12 weeks of leave for family and medical reasons. As with FMLA leave, the employee is required to use accrued paid leave(s) as part of their FLA leave.

In most situations, leave under the FLA runs concurrently with FMLA leave. FLA leave does not run concurrently with Pregnancy Disability Leave. In this instance, FLA leave is in addition to any leave taken for Pregnancy Disability.

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*For example*, assume an FMLA and FLA eligible employee works up to her delivery date, and (per her doctor's certification) needs 6 weeks of Pregnancy Disability Leave to recover from childbirth. This 6 week period is also covered by FMLA leave. Once the employee is no longer disabled from childbirth, she is still entitled to 12 weeks of FLA leave to care for the newborn. Thus the total leave entitlement would be 18 weeks - 6 weeks of Pregnancy Disability leave, and 12 weeks of FLA leave. Only the first 12 weeks of leave would run concurrently with FMLA leave.

### Differences between federal FMLA and state FLA:

Under the federal Family and Medical Leave Act (FMLA), the District must continue to pay its portion of the employee's health insurance premium for up to 12 workweeks of FMLA leave.

*The District is not required* to pay employee health insurance premium under the state Family Leave Act (FLA) or for Pregnancy Disability Leave unless they run concurrent with FMLA leave.

In the above example, the District's obligation to pay its portion of the health insurance premium ends with the completion of 12 weeks of FMLA leave, even though the employee may be entitled to use an additional 6 weeks of FLA leave.

As long as the employee is on paid leave, he/she should continue to receive their benefits in the normal manner.

Under COBRA, once an employee is placed on leave without pay status, he/she is entitled to continue their health insurance on a self-pay basis.

The federal FMLA may run concurrently with other state leave statutes such as Worker's Compensation, Pregnancy Disability Leave, FLA, or Family Care Act Leave. Whenever possible, the District will run leaves concurrently.

Disability or incapacity due to pregnancy or childbirth may not run concurrently with the state FLA.

### Limitations on FMLA Leave Entitlement:

Married couples employed by Whitman County Library are limited in the amount of family leave they may take for the birth and care of a newborn child, placement of a child for adoption or foster care, or to care for a parent with a serious health condition to a combined total of 12 weeks (or 26 weeks if leave to care for a covered service member with a serious injury or illness is used). FMLA leave for birth and aftercare, or placement for adoption or foster care, must end within 12 months of the birth or placement.

Employees may take FMLA leave intermittently (e.g., in separate blocks of time for a single qualifying reason), or on a reduced work schedule. When

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leave is needed for planned medical treatment, the employee must make a reasonable effort to schedule treatment so as not to unduly disrupt the employer's operation. If FMLA leave is for birth and care of the newborn, or placement for foster care or adoption, use of intermittent leave is subject to District approval.

### Continuation of Pay and Benefits:

FMLA leave is unpaid leave. However, per District policy, employees are required to use their accrued paid leave (e.g. sick, vacation, and/or holiday leave) as part of their FMLA leave entitlement.

Employee use of paid leave, to run concurrent with FMLA leave, must comply with the District's normal policies for using paid leave. Once the employee has exhausted their paid leave, they should be placed on leave without pay for the duration of their FMLA leave.

During the 12 (or 26) workweeks of FMLA leave, the District will continue to pay its portion of health insurance premiums, provided that the employee continues to pay his/her share of the health insurance premiums, if any. *Failure of the employee* to pay his/her portion of the premium may result in cancellation of health insurance. It is the *employee's responsibility* to arrange for continuation of premium payments while on FMLA leave.

If the employee has exhausted FMLA leave, and extends their leave as leave without pay (LWOP), the employee may continue health insurance benefits on a self-pay basis under COBRA.

Benefits that operate on an accrual basis (e.g., vacation and sick leave) will not accrue during any unpaid leave under this policy. Moreover, an employee on leave without pay (LWOP) will not accrue seniority or service time for the employee's eligibility for performance review, salary review or adjustment. The employee's anniversary date should be adjusted per current policy.

An employee's eligibility for qualified benefits (e.g., worker's compensation, retirement or deferred compensation) will be governed by the terms of each respective benefit plan.

### Employee Notice & Responsibilities:

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with the District's normal call-in procedures.

Employees seeking *Qualifying Exigency Leave* must give reasonable and practical notice if the exigency is foreseeable. The notice should include:

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information that a covered family member is on active duty or been called to active duty, provide a *listed* reason for leave (see list of reasons at end of document), and an estimate of the duration of the requested leave.

For *Military Caregiver Leave* employees must give as much notice as practicable.

Employees must provide sufficient information for the District to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave.

*Employees also must inform the District* if the requested leave is for a reason for which FMLA leave was previously taken or certified.

*Periodic notification during leave.* Employees should contact their immediate supervisor or manager every two (2) weeks by telephone and once a month in writing/email to report on their status and intentions to return to work at the end of their leave period, unless other arrangements have been made.

### Certification Requirements

The District may require certification from a health care provider substantiating the employee's leave request. *Anytime an employee expects to be or is absent for more than 3 consecutive work days as the result of his or her own serious health condition (including pregnancy), the employee may be required to submit a medical certification.* Certification requirements differ according to whether the leave is for the employee's own serious health condition or that of a covered family member. When an employee foresees the need for leave and has provided at least 30 days notice, the District may request certification before the leave begins. *The employee must provide certification within 15 calendar days of the District's request. Failure to provide the requested certification may delay the leave.*

The District may require a second, and in some cases a third, medical opinion, at the District's expense, depending upon the circumstances. During the course of the leave, the District may under certain circumstances require additional medical recertification every 30 days. In addition, if the circumstances giving rise to the need for leave have changed significantly, or if the District has reason to doubt the validity of the stated reason for the absence, the District reserves the right to request recertification at any time.

Employees seeking *Qualifying Exigency Leave* or *Military Caregiver Leave* must certify they are eligible to take leave.

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**Qualifying Exigency Leave.** The employee should provide a copy of the service member's active duty orders, documentation verifying time, place, and date of scheduled pre- or post-deployment activities, and/or complete the Department of Labor (DOL) form WH-384.

**Military Caregiver Leave.** The employee should provide a copy of the Department of Defense (DOD) "*invitational travel orders*" or "*invitational travel authorization,*" and/or complete form WH-385.

All employees returning from FMLA leave taken because of their own serious health condition are required to furnish a "*Fitness for duty*" certification before they will be allowed to return to work. The District will consider making a reasonable accommodation for any disability an employee may have where required by law. Medical certification may also be required for any employee who claims he or she is unable to return to work at the scheduled conclusion of a leave or who requests a leave extension.

### Reinstatement After Leave:

Eligible employees taking leave under this policy will be reinstated to their former position, or to an equivalent position with equivalent benefits and other terms and conditions of employment. However, no employee is entitled under this policy to any right, benefit, or position other than that to which the employee would have been entitled had he or she not taken leave. Thus, for example, if a layoff or some other extenuating circumstance or business condition arises which affects the employee's position, reinstatement may not be possible.

The District also reserves the right to deny leave reinstatement to key employees, where such denial is necessary to prevent substantial and grievous economic injury to the District's operations.

Key employees should be notified in writing of the District's intention to deny reinstatement as soon as a determination is made that such injury would occur.

Key employees are defined as salaried FMLA eligible employees who are among the highest-paid 10 percent of all employees employed by the District within seventy-five miles of the facility at which the employee is employed.

### Definitions:

#### Child:

Includes a biological, adopted, foster child, stepchild, legal ward, or a child of an employee standing in *loco parentis* (i.e., in place of a parent), who is under 18, or older than 18 if incapable of self-care because of a mental or physical disability.

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### Parent:

Includes the biological, adoptive, or step parent, or individual who stood in *loco parentis* to an employee when the employee was a child.

### Spouse:

Either a husband or wife as defined under Washington Law and does not include a domestic partner.

### Serious Health Condition:

Includes an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical care facility, or continuing treatment by a health care provider (i.e., doctors of medicine or osteopathy who are licensed to practice medicine or surgery by the state in which they practice), or involves a period of incapacity requiring 3 or more days absence from work and necessitates continuing treatment by a health care provider or any period of incapacity due to pregnancy or prenatal care.

### Covered Service Member:

*An individual* with a serious illness or injury, incurred in the line of duty, while on active duty, as determined by the Department of Defense (DOD), that may render him/her medically unfit to perform the duties of his office, grade, rank, or rating and for which he/she is undergoing medical treatment, recuperation, therapy, or outpatient treatment or is on a *temporary disability retired list* (TDRL).

### Next of Kin:

As in the case of defining a son or daughter, “parent” is defined broadly and includes the service member’s biological, adopted, or foster parent; stepparent; or other person who stood in *loco parentis* to the service member. *“Parent” does not include in-laws.* “Next of kin” *excludes* a service member’s spouse, parent, or child, and is defined as the following blood relatives, in this order of priority:

- Blood Relatives with legal custody of the service member by court order or statute;
- Siblings;
- Grandparents;
- Aunts and Uncles; and
- First Cousins

The service member, however, may designate a specific blood relative as next of kin in writing, and that will control. Employers can ask employees for reasonable documentation of family relationships; a simple statement will suffice.

Qualifying Exigencies (Eight types of qualifying exigencies):



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The regulation contains a “specific and exclusive” list of reasons for qualifying exigency leave, as follows:

Short-notice deployment, meaning a call or order that’s given seven or fewer calendar days before deployment. The employee can take up to seven days beginning on the date of notification.

Military events and related activities, such as official military-sponsored ceremonies and family support and assistance programs sponsored by the military and related to the family member’s call to duty.

Urgent (as opposed to recurring and routine) child-care and school activities such as arranging for child-care. “Child” is defined more broadly than under the childbirth and adoption leave portions of the FMLA to include a biological, adopted, or foster child; a stepchild; a legal ward of a covered military member; or a child for whom a covered military member stands in lieu of a parent. The child must be either under age 18 or, if older than 18, incapable of caring for herself because of physical or mental disability.

Financial and legal tasks, such as making or updating legal arrangements to deal with a family member’s active duty.

Counseling for the employee or his minor child that isn’t already covered by the FMLA.

Spending time with the covered service member on rest and recuperation breaks during deployment, for up to five days per break.

Post-deployment activities such as arrival ceremonies and reintegration briefings, or to address issues from the service member’s death on active duty.

Other purposes arising out of the call to duty, as agreed upon by the employee and employer.

Revision Date: April 17, 2012

## 7.9 Cobra Coverage Rights

FROM: Human Resources Manager

To: Employees & Spouse, if applicable, with Health Coverage Benefits

Date: \_\_\_\_\_

Re: Continuation Coverage Rights Under COBRA

You (the employee) and your spouse, if applicable, should read this summary notice carefully and sign & return the attached acknowledgement to Human Resources. This notice is for your information and should be kept with your medical, dental, vision, and EAP plan information. If you received this information in the past; please consider this an update.

### Introduction:

You are receiving this notice because you have recently become covered under a group health plan through Whitman County Library. Whitman County Library (the "Employer/*Benefits Administrator*<sup>2</sup>") maintains group health plans that are subject to this notice: medical, dental, vision, and an employee assistance program (EAP). If you are covered by the medical, dental, vision and/or EAP, you may elect COBRA coverage in one or more of these plans. This notice contains important information about your right to COBRA continuation coverage, which is a temporary extension of coverage under the plan. This notice generally explains COBRA continuation coverage, when it may become available to you and your family, and what you need to do to protect the right to receive it. COBRA applies only to the benefits under the group health plans referenced above and not to any other plans or benefits such as life insurance, disability coverage, accidental death and dismemberment benefits.

The right to COBRA continuation coverage was created by a federal law, the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA). COBRA continuation coverage can become available to you when you would otherwise lose your group health coverage. It can also become available to other members of your family who are covered under the plan when they would otherwise lose their group health coverage. For additional information about your rights and obligations under the plan and under federal law, you should contact the <sup>2</sup>*Benefits Administrator*.

The plan does not offer greater COBRA rights beyond what COBRA requires. Nothing in this notice is intended to expand your rights beyond COBRA's requirements.

### COBRA Continuation Options:

You may elect to continue the coverage you had prior to the date coverage would otherwise end. Your continuation options may be medical, dental, vision, or EAP. You may elect one or more of the plans available to you.

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Note that when you first enroll in COBRA, you may only continue the coverage you had as an active employee. For example, you can't switch from the Premera WCIF 750 Plan to the Premera WCIF 500 Plan, or vice versa. Also, to elect an EAP, dental plan or vision, you must be enrolled for these benefits at the time you group coverage ends.

### What is COBRA Continuation Coverage?:

COBRA continuation coverage is a continuation of plan coverage when coverage would otherwise end because of a life event known as a "qualifying event." Specific qualifying events are listed later in this notice. After a qualifying event, COBRA continuation coverage must be offered to each person who is a "qualified beneficiary." You, your spouse, and your dependent children could become qualified beneficiaries if coverage under the plan is lost because of the qualifying event. Under the plan, qualified beneficiaries who elect COBRA continuation coverage must pay for COBRA continuation coverage.

If you are an *employee*, you will become a qualified beneficiary if you lose your coverage under the plan because either one of the following qualifying events happens:

- Your employment ends for any reason other than your gross misconduct;
- or
- Your hours of employment are reduced.

If you are the *spouse* of an employee, you will become a qualified beneficiary if you lose your coverage under the plan because any of the following qualifying events happens:

- Your spouse dies;
- Your spouse's hours of employment are reduced;
- Your spouse's employment ends for any reason other than his or her gross misconduct; or
- You become divorced or legally separated from your spouse.

*Your dependent children* will become qualified beneficiaries if they lose coverage under the plan because any of the following qualifying events happens:

- The parent-employee dies;
- The parent-employee's hours of employment are reduced;
- The parent-employee's employment ends for any reason other than his or her gross misconduct;
- The parents become divorced or legally separated; or
- The child stops being eligible for coverage under the plan as a "dependent child."

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If you are on a leave of absence under the Family and Medical Leave Act of 1993 (FMLA) and do not return to active employment following the leave, a qualifying event will occur. This allows you and your dependents to continue coverage for up to 18 months from the date that the *Benefits Administrator*<sup>2</sup> receives written notice that you will not be returning to work or your FMLA leave ends, whichever one comes first, but no later than the end of the FMLA leave.

### When is COBRA Coverage Available?:

The plan will offer COBRA continuation coverage to qualified beneficiaries only after the *Plan Administrator*<sup>1</sup> has been notified that a qualifying event has occurred. When the qualifying event is the end of employment, reduction of hours of employment or death of the employee, the employer must notify the *Plan Administrator*<sup>1</sup> of the qualifying event.

### You Must Give Notice of Some Qualifying Events:

For the other qualifying events (divorce or legal separation of the employee and spouse or a dependent child's losing eligibility for coverage as a dependent child), you must notify the *Benefits Administrator*<sup>2</sup> within 60 days after the qualifying event occurs by completing and submitting the *Notice to Employer of Qualifying Event Form or Other Event That May Affect Duration of COBRA Coverage*. If you or a family member fails to provide this notice during the 60-day notice period, you will lose your right to elect COBRA coverage. The *Notice to Employer of Qualifying Event Form* is available in the Human Resources section of the Intranet or from the Human Resources office.

The plan provides that your spouse's coverage terminates as of the last day of the month in which a divorce or legal separation occurs. A dependent child's coverage terminates the last day of the month in which he or she ceases to be an eligible dependent under the plan (for example, after attainment of a certain age).

### How is COBRA Coverage Provided?:

Once the *Plan Administrator*<sup>1</sup> receives notice that a qualifying event has occurred, COBRA continuation coverage will be offered to each of the qualified beneficiaries. Each qualified beneficiary will have an independent right to elect COBRA continuation coverage. Covered employees may elect COBRA continuation coverage on behalf of their spouse, and parents may elect COBRA continuation coverage on behalf of their children.

COBRA continuation coverage is a temporary continuation of coverage. When the qualifying event is the death of the employee, divorce or legal separation, or a dependent child's losing eligibility as a dependent child, COBRA continuation coverage lasts for up to a total of 36 months.

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When the qualifying event is the end of employment or reduction of the employee's hours of employment, the employee, spouse, and all eligible dependents may elect up to 18 months of COBRA continuation coverage. There are two ways in which this 18-month period of COBRA continuation coverage can be extended, either by a disability extension or second qualifying event extension, both described later in this notice.

### Medicare Rules:

The employee's understanding of Medicare eligibility rules is crucial in making a retirement date decision. Medicare entitlement can affect an individual's COBRA rights and impact how long a spouse and dependent children can continue COBRA coverage.

If the employee becomes entitled to Medicare *within 18 months prior to* the qualifying event date, COBRA continuation coverage for dependent qualified beneficiaries lasts up to 36 months from the Medicare entitlement date. For example, if a covered employee becomes entitled to Medicare 8 months before the date on which his employment terminates, COBRA continuation coverage for his spouse and children can last up to 36 months from the Medicare entitlement date, which is equal to 28 months of COBRA coverage (28+8=36 months).

If the employee becomes entitled to Medicare *more than 18 months before* the qualifying event, the spouse and dependent children may be eligible for COBRA continuation coverage for 18 months.

If the employee becomes entitled to Medicare *after* the qualifying event date, the spouse and dependent children may be eligible for COBRA continuation coverage for 18 months.

### Disability Extension of 18-Month Period of Continuation Coverage:

If you or anyone in your family covered under the plan is determined by the Social Security Administration to be disabled and you notify the *Plan Administrator*<sup>1</sup> in a timely fashion, you and your entire family may be entitled to receive up to an additional 11 months of COBRA continuation coverage, for a total maximum of 29 months. The disability would have to have started at some time before the 60<sup>th</sup> day of COBRA continuation coverage and must last at least until the end of the 18-month period of continuation coverage.

The disability extension is available only if you notify the *Plan Administrator*<sup>1</sup> in writing of the determination by the SSA within the initial 18-month period but not later than 60 days after the date of the SSA determination.

If you have a loss of SSA disability status, you are required by law to notify the *Plan Administrator*<sup>1</sup> within 30 days of a final determination made by the SSA that you are no longer disabled. Once notified, your extended COBRA

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continuation coverage will be terminated effective the first month following the SSA's determination of loss of disability status.

### Second Qualifying Event Extension of 18-Month Period of Continuation Coverage:

If your family experiences another qualifying event while receiving 18 months of COBRA continuation coverage, the spouse and dependent children in your family can get up to 18 additional months of COBRA continuation coverage, for a maximum of 36 months, if notice of the second qualifying event is properly given to the plan. This extension may be available to the spouse and any dependent children receiving continuation coverage if they lose coverage due to:

- Your death;
- Your divorce or legal separation; or
- Your dependent children lose dependent status under the Plan.

This extension applies only if the event would have caused the enrolled family member to lose coverage under the plan had the first qualifying event not occurred.

As described above, to be eligible for this extension, you or your family members must notify the *Plan Administrator*<sup>1</sup> within 60 days of the later of the date of a divorce, loss of dependent eligibility or the date coverage is lost due to one of the preceding events.

### Newborns and Adopted Children:

A child who is born to or placed for adoption with the covered employee during a period of COBRA continuation coverage is a qualified beneficiary and has independent COBRA election rights.

You must notify <sup>1</sup>*Plan Administrator* in writing of the birth or adoption and elect coverage for your child within the plan's otherwise applicable enrollment period for newborns or adopted children. If the newborn or adopted child is determined to be disabled within 60 days of his/her birth or placement for adoption, the 29-month disability extension may be available for all covered family members.

### How Can You Elect COBRA Continuation Coverage?:

To elect continuation coverage, you must complete the Election Form and furnish it according to the directions on the form. Each qualified beneficiary has a separate right to elect continuation coverage. For example, the employee's spouse may elect COBRA continuation coverage even if the employee does not. COBRA continuation coverage may be elected for only one, several, or for all dependent children who are qualified beneficiaries. A parent may elect to continue coverage on behalf of any dependent children.

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The employee or the employee's spouse can elect continuation coverage on behalf of all the qualified beneficiaries.

In considering whether to elect continuation coverage, you should take into account that a failure to continue your group health coverage will affect your future rights under federal law. First, you can lose the right to avoid having pre-existing condition exclusions applied to you by other group health plans if you have more than a 63-day gap in health coverage, and election of continuation coverage may help you not have such a gap. Second, you will lose the guaranteed right to purchase individual health insurance policies that do not impose such pre-existing condition exclusions if you do not get continuation coverage for the maximum time available to you. Finally, you should take into account that you have special enrollment rights under federal law. You have the right to request special enrollment in another group health plan for which you are otherwise eligible (such as a plan sponsored by your spouse's employer) within 30 days after your group health coverage ends because of the qualifying event listed above. You will also have the same special enrollment right at the end of continuation coverage if you get continuation coverage for the maximum time available to you.

### How Much Does COBRA Continuation Coverage Cost?

Generally, each qualified beneficiary may be required to pay the entire cost of continuation coverage. The amount a qualified beneficiary may be required to pay may not exceed 102 percent (or, in the case of an extension of continuation coverage due to a disability, 150 percent) of the cost to the group health plan (including both employer and employee contributions) for coverage of a similarly situated plan participant or beneficiary who is not receiving continuation coverage. Information on the required payment for each continuation coverage period for each option will be described in detail when you receive the election materials.

### When and How Must Payment for COBRA Continuation Coverage be Made?:

#### First Payment for Continuation Coverage:

If you elect continuation coverage, you do not have to send any payment with the Election Form. However, you must make your first payment for continuation coverage no later than 45 days after the date of your election (This is the date the Election notice is post-marked, if mailed). If you do not make your first payment for continuation coverage in full no later than 45 days after the date of your election, you will lose all COBRA continuation coverage rights under the plan. You are responsible for making sure that the amount of your first payment is correct. Payment contact information will be provided with the election material. At that time, you may contact Benefit Solutions, Inc. (BSI) at PO Box 6, Mukilteo, WA, 98275 (425.771.7359) to confirm the correct amount of your first payment.

#### Periodic Payments for Continuation Coverage:

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After you make your first payment for continuation coverage, you will be required to make periodic payments for each subsequent coverage period. The amount due for each coverage period for each qualified beneficiary is shown in the Election Notice. The periodic payments can be made on the monthly basis. Under the plan, each of these periodic payments for continuation coverage is due on the first of the month for that coverage period. If you make a periodic payment on or before the first day of the coverage period to which it applies, your coverage under the plan will continue for that coverage period without any break. The plan will send periodic notices of payments due for these coverage periods.

### Grace Periods for Periodic Payments:

Although periodic payments are due on the dates shown above, you will be given a grace period of 30 days after the first day of the coverage period to make each periodic payment. Your continuation coverage will be provided for each coverage period as long as payment for that coverage period is made before the end of the grace period for that payment.

If you fail to make a periodic payment before the end of the grace period for that coverage period, you will lose all rights to COBRA continuation coverage under the plan.

### Termination of Coverage:

You may be entitled to purchase an individual policy directly through the carrier when your COBRA continuation coverage expires. This option will only be available if there is a conversion policy under the group health plan you were enrolled in prior to your qualifying event. Contact the *Plan Administrator*<sup>1</sup> for more details.

### If You Have Questions:

Questions concerning your plan or your COBRA continuation coverage rights should be addressed to the contact or contacts identified below. For your information about your rights under ERISA, including COBRA, the Health Insurance Portability and Accountability Act (HIPAA), and other laws affecting group health plans, contact the nearest Regional or District Office of the U.S. Department of Labor's Employee Benefits Security Administration (EBSA) in your area or visit the EBSA website at [www.dol.gov/ebsa](http://www.dol.gov/ebsa). (Addresses and phone numbers of Regional and District EBSA Offices are available through EBSA's website.)

### Keep Your Plan Informed of Address Changes:

In order to protect your family's rights, you should keep the plan administrator informed of any changes in the addresses of family members. You should also keep a copy, for your records, of any notices you send to the *Plan Administrator*<sup>1</sup> or the *Benefits Administrator*<sup>2</sup>.



## Whitman County Rural Library By-Laws and Policies

### Plan Contact Information:

If you (the employee) or a family member has any questions about this notice or COBRA, please contact the <sup>2</sup>*Benefits Administrator*. You may also ask for additional copies of any of the required notice forms and procedures, which contains important information about plan benefits, eligibility, exclusions and limitations.

*Plan Administrator*<sup>1</sup>: Benefit Solutions, Inc. is the plan administrator for medical, dental, vision insurance and EAP. All notices and other communications regarding the plan and regarding COBRA should be directed to the *Plan Administrator*<sup>1</sup>. If you have questions concerning your right to purchase continuation coverage, please contact the *Benefits Administrator*<sup>2</sup>.

<sup>1</sup>*Plan Administrator/Insurer:*

Attention: WCIF COBRA Department Benefit Solutions, Inc. (BSI)  
PO Box 6  
Mukilteo, WA 98275  
Phone: 425-771-7359  
Fax: 425-771-1226  
Email: [COBRA@BSITPA.com](mailto:COBRA@BSITPA.com)

<sup>2</sup>*Benefits Administrator:*

Human Resources – Whitman County Library  
102 S. Main  
Colfax, WA 99111  
509-397-4366

## **8 Appendix**

### **8.1 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.

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.

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.

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

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

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

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.

Amended February 2, 1961, and January 23, 1980,

Inclusion of "age" reaffirmed January 23, 1996,

By the ALA Council.

## **8.2 The 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 avoid the subversion of politics and the corruption of morals. We, as citizens 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 citizen, by exercising critical judgment, will accept the good and reject the bad. The censors, public and private, assume that they should determine what is good and what is bad for their fellow citizens.

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 need the help of censors to assist them in this task. 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.

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.

## Whitman County Rural Library By-Laws and Policies

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. The freedom to read is guaranteed 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 or unpopular with 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.

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.

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.

## Whitman County Rural Library By-Laws and Policies

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.

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.

It is not in the public interest to force a reader to accept with any expression the prejudgment of a label characterizing it 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 the citizen. 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.

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.

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.

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.

## Whitman County Rural Library By-Laws and Policies

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 citizens 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; revised January 28, 1972, January 16, 1991, July 12, 2000, by the ALA Council and the AAP Freedom to Read Committee.

A Joint Statement by:

American Library Association and  
Association of American Publishers

Subsequently Endorsed by:

American Association of University Professors  
American Booksellers Foundation for Free Expression  
American Society of Journalists and Authors  
American Society of Newspaper Editors  
Anti-Defamation League of B'nai B'rith  
Association of American University Presses  
Center for Democracy & Technology  
The Children's Book Council  
The Electronic Frontier Foundation  
Feminists for Free Expression  
Freedom to Read Foundation  
International Reading Association  
The Media Institute

## Whitman County Rural Library By-Laws and Policies

National Coalition Against Censorship

National PTA

Parents, Families, and Friends of Lesbians and Gays

People for the American Way

Student Press Law Center

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### **8.3 Intellectual Freedom Statement**

The Washington Library Association supports the principle of free, open, and unrestricted access to information and ideas regardless of the medium in which they exist.

A democracy can only succeed if citizens have access to the information necessary to form opinions and make decisions on issues affecting their lives. Libraries play a key role in providing access to this information.

The Association regards this access as a right of all citizens. Therefore, the Association believes that libraries have a responsibility to provide access to a wide range of perspectives and viewpoints. The Association believes that parents and legal guardians have the responsibility to guide their own children in the exercise of their rights of access.

The Association recognizes privacy and confidentiality as essential components of intellectual freedom.

The Association supports local community involvement in developing policies that uphold the United States and Washington State constitutional guarantees of free speech and intellectual freedom.

The Washington Library Association endorses the American Library Association's Code of Ethics, Freedom to Read Statement, and Library Bill of Rights and its interpretations.

Therefore, the Washington Library Association opposes censorship and restrictions on access to the full range of constitutionally protected materials.

Ratified at the WLA Conference in Spokane, WA – April 06, 2001



#### **8.4 Intellectual Freedom Policy**

The public library is unique among institutions as an unbiased repository for recorded expression of human thought. It must, therefore, accept responsibility for providing free access by the public to all points of view contained therein. However, the addition of an item to the collection in no way represents an endorsement by the library of any theory, idea, or policy contained in it. In the collection of the Whitman County Library System, all sides of controversial issues will be represented as far as budget, space, and availability of materials allow. Selection will be based on the criteria given in the materials selection policy. The race, religion, nationality or political views of an author, the frankness or coarseness of language, the controversial content of an item, or the endorsement or disapproval of an individual or group in the community will not cause an item to be automatically included or excluded from the collection. The Library subscribes to the provisions of the American Library Association's "Library Bill of Rights" (8.1 Library Bill of Rights), the "Washington Library Association Intellectual Freedom Statement" (8.3 Intellectual Freedom Statement) and to the "Freedom to Read" Statement (8.2 Freedom to Read).

Responsibility for the reading choices of children rests with their parents or legal guardians. Adult selection will not be inhibited by the possibility that materials may inadvertently fall into the hands of children. No material will be sequestered except for the express purpose of protecting it from injury or theft.

The library will not indicate, through use of labels or other devices, particular philosophies outlined in any library materials, regardless of format.