

# SIMON FRASER UNIVERSITY

S.74-8

## MEMORANDUM

To SENATE

From LIBRARY PENALTIES APPEAL COMMITTEE

Subject CHANGES IN PROCEDURES - LIBRARY  
PENALTIES

Date DECEMBER 21, 1973

MOTION: "That Senate approve changes in the procedures of the Library Penalties Appeal Committee as follows:

Delete: 'Penalties imposed will not be suspended while an appeal is waiting to be heard by the Committee, but fines which have been paid and which are subsequently deemed unfair by the Committee will be refunded.'

Add: 'Penalties imposed will be suspended while an appeal is waiting to be heard by the Committee, and fines which have been paid and which are subsequently deemed unfair by the Committee will be refunded.'"

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## **LIBRARY PENALTIES APPEAL COMMITTEE**

**NAME** LIBRARY PENALTIES APPEAL COMMITTEE

**TYPE** Standing Committee reporting to Senate Library Committee

**PURPOSE** To consider cases wherein an individual feels that he is unjustly penalized for an infraction of the Library Loan Policy and to make the final decision

**MEMBERSHIP**

One Graduate student appointed by the Dean of Graduate Studies - Chairman (non-voting except in case of a tie)

Two faculty members elected by and from the Senate Library Committee or to be appointed by the Senate if there is not a student on the Library Committee

One student appointed by the Student Society

Head of the Loan Division or designate (non-voting)

**PROCEDURE**

Any individual who is aggrieved by the decision of the Loan Division of the Library concerning penalties may petition, in writing, to the Head of the division that his case be considered by the Library Penalties Appeal Committee. The individual will be notified by letter/telephone of the date of the meeting and may speak to the committee on his grievance.

The Loan Division will provide documentation for the Library and the individual may contest the evidence or enter any circumstances that may be germane. The decision of the Committee is final.

Penalties imposed will not be suspended while an appeal is waiting to be heard by the Committee, <sup>and</sup> but fines which have been paid and which are subsequently deemed unfair by the Committee will be refunded.

# SIMON FRASER UNIVERSITY

## MEMORANDUM

To ..... Senate Library Penalties  
..... Appeal Committee

From ..... Jean-Pierre Daem

Subject ..... Penalty Appeals Committee

Date ..... October 26, 1973.

Senate at its meeting of January 10, 1973, passed a motion establishing the Library Penalties Appeal Committee. (APPENDIX I)

The Committee has never met to date and the first three appeals are being heard today.

While the writer makes no value judgments as to the reasons for this poor response by students and faculty to this committee which was to have handled a "backlog of cases" (Senate Minutes, January 10, 1972, page 17), I suggest the following:

1. The Committee was poorly advertised (see letters, J-P Daem to Peak).
  2. The Head of the Loans Division has a policy of coming to mutually acceptable agreements with students.
  3. There is a basic lack of faith in Committees and the resultant inconvenience of an appeals procedure.
  4. Penalties (i.e. borrowing privileges) are not suspended while an appeal is waiting to be heard.
- i. The Library has made a concerted effort since the complaints by the Chairman of this Committee of the lack of awareness of the Committee, to advertise it in the Library Handbook (See Appendix II).

The University community should therefore be aware of the existence of the Appeals mechanism.

- ii. Mrs. Jans, Head of the Loans Division, has used discretion over the past few years in dealing with library offenders. To this end, she will propose a mutually agreeable arrangement to solve the dispute. Most students have expressed satisfaction with this mode of operation. In fact, wherever the student not in good standing with the Library has reasonable grounds for complaint, Mrs. Jans seems to have given the student the benefit of the doubt. She should be commended for her attitude toward students and the enforcement of a loans policy which requires much goodwill and cooperation.

Nevertheless, some students still feel agrieved and yet they fail to appear before the Committee.

- iii. Students have become very cynical toward committees and feel that many are of little value. The writer does not share this feeling and it is felt that Appeals Committees do serve a useful purpose in Academic Governance and, therefore, this argument cannot be considered too seriously.
- iv. Within the terms of reference of the Committee there is a presumption that a student is guilty, and thus the penalty which has been imposed by the Library will not be suspended while an appeal is waiting to be heard. This concept is both discriminatory and undemocratic.

It discriminates against the student who may have valid reasons for appeal but will tend to take the easy way out (i.e. some compromise fine) because he is in need of his borrowing privileges to pursue his studies.

The student (or faculty) may suffer unjust damage simply because the Committee, for one reason or another, is not able to convene quickly.

It is undemocratic inasmuch as it presumes guilt until the person is proven innocent.

It would appear that this may be the major cause of concern to both students and faculty, and may be a factor for the lack of appeals heard by the Committee.

#### RECOMMENDATION

The Committee recommends that the final paragraph of paper S72-12 be struck and replaced by the following:

"Penalties imposed will be suspended while an appeal is waiting to be heard by the Committee."

J-P Daem  
Chairman

*See...*

## COMMENTS AND PROPOSALS TO THE APPEALS COMMITTEE

It seems to come as quite a shock to patrons that they do, in fact, owe fines to the library. I really do not know the answer to this, as any reminder, recalls, or notices, do state the situation for their information. But more times than not, patrons will tell you they just don't read these notices.

Their first realization that they have a fine is when they wish to take material from the library and are told "I'm sorry, but you are presently on the suspension list", then the fun begins. The "whys" etc. have to be explained and certainly this is all quite time consuming for both parties. Some cases are cleared up immediately - others insist they are going to appeal. The staff (senior) have lifted the suspension in some cases on the promise the patron will immediately write an appeal - many do not keep this promise. Their number remains on the list and they must check with Mrs. Gale if they wish further privileges. We do understand that many patrons do not have ready cash to pay fines and term papers etc. are so important to them.

I would like to propose the following:

Any patron suspended and cannot settle immediately, must write an appeal to the Head - Loan Division, if they feel aggrieved. On receipt of the letter, the division head will -

1. Cancel fine if felt appropriate, send letter advising patron and immediately lift suspension.
2. Not cancel fine, letter of explanation and reasons sent to patron, patron to remain on suspension list. A thorough explanation will be given and the patron will accept the explanation and pay the fine, or after reading will still feel it unfair and then can immediately direct a letter c/o Loan Division, Head, to the Appeals Committee. On receipt of this letter, the suspension will be lifted by the Division Head, the procedure will then be to contact the Chairman of the Committee to call a meeting.

### Reason for proposal:

As experience has shown, most of the letters received in the past by the Division Head have cleared up many a situation. I have made a point of treating each individual and their problem separately and have found in so many cases that patron truly did not understand the "whole picture". Many have personally made a point of coming in and thanking us for taking the time to explain all sides and are very willing to pay the fine.

I, personally, feel the suspension does serve a good purpose, as such. Many times the library is unable to find any address for a patron - if the number is put on the list, we eventually meet the person and explain the importance of addresses and any address change. The suspension also will force patrons having fines to clear them up as quickly as possible. While our intentions of writing a letter of appeal are good - it has to be faced we are all human. If a patron realizes they must write a letter to clear up a situation, or stay suspended, it will force them to take action fast.

Should there be no suspension, I would suggest people will not bother to do anything until they receive a letter from a collection agency.

Ignorance of the loan policies - address problems - not reading notices and not receiving mail are the main problems facing our patrons. Without a suspension to a degree, I truly do not know how else the service could run. It is like leading a horse to water but you cannot make him drink. If people will not bother reading, no amount of advertising will help. With the suspension list we are at least given the opportunity to see and explain, through personal contact or letter. Both seem to be working very satisfactory at the present time.

Since the new policy has been in effect, the following statistics may be of interest to you.

Letters received	-	about 300 - 350
Fines cancelled	-	100
Repeat letters	-	6
		2 (Committee dealing with)

While I admit it is rather time consuming as far as answering mail, I personally feel it has been well worth any time taken.

I have attached notices etc. that are sent to patrons for your perusal and comments.

*Mary Jane*

Head, Loan Division

/kc

Attachment

SIMON FRASER UNIVERSITY LIBRARY  
OVERDUE BOOK NOTICE  
SEMESTER/RECALL LOAN SYSTEM

DATE DUE:  
AUG-15-72

WARNING : THE BOOK(S) LISTED BELOW ARE NOW OVERDUE. THE RULES OF THE SEMESTER/RECALL LOANS SYSTEM ARE AS FOLLOWS :

- A) YOUR BORROWING PRIVILEGES RE GENERAL LOANS ITEMS ARE NOW SUSPENDED.
- B) IF THE BOOKS ARE NOT RETURNED BY AUG-29-72, A \$5.00 FINE IS ASSESSED.
- C) AFTER SEP-11-72, A FURTHER FINE OF \$1.00 WILL BE LEVIED FOR EACH SUCCESSIVE DAY UP TO A MAXIMUM AMOUNT OF \$25.00 .

4.721004697

G. JOHNSTON  
#207-1075 NELSON  
VANCOUVER 5 B.C.

REMEMBER :

THIS SYSTEM WILL ONLY FUNCTION WITH THE CO-OPERATION OF THE USERS. PLEASE RETURN LIBRARY MATERIALS WHEN NO LONGER NEEDED, OR WHEN RECALL HAS BEEN ISSUED.

4.721004697

SIMON FRASER UNIVERSITY LIBRARY  
LIST OF OVERDUE BOOK(S)

PAGE: 02

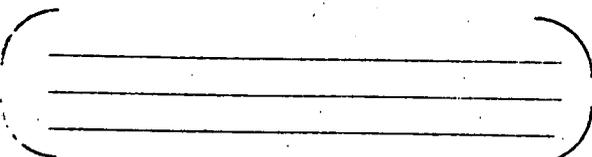
CLASSIFICATION NUMBER	AUTHOR / TITLE
BC 71 R32 1966	BEARDSLEY, MCNROE C THINKING STR
BC 71 G34 C.2	GEACH, PETER T REFERENCE AND GENE
BC 71 048 1964 C.3	QUINE, WILLARD V FROM A LOGI
BF 38 H8	HUMAN ACTION, CONCEPTUAL AND EMPIR
BF 431 H38	HEIM, ALICE W. THE APPRAISAL OF INT
BF 431 M36 C. 2	MACPHERSON, DOUGLAS I TRANSFER A
BF 723 P25 C45	CHILD STUDY ASSOCIATION OF AMERICA
BF 723 R4 P53 1962 C.5	PIAGET, JEAN JUDGMENT AND
BF 861 F3 F5	ELLIS, MIRIAM A HUMAN EAR, ITS IDE
BH 21 R4 1960	READ, HERBERT FORMS OF THINGS UNK
BH 39 B6 1968	BOAS, GEORGE PRIMER FOR CRITICS
BH 39 W64 C. 7	WOLLHEIM, RICHARD ART AND ITS OB
BH 201 S58	SMITH, RALPH A AESTHETIC CONCEPTS
BR 516 J8	JUDAH, J STILLSON HISTORY AND PHIL
HX 654 R4	BESTOR ARTHUR E BACKWOODS UTOPIAS
HX 696 09 H34	HARRISON, JOHN F ROBERT OWEN AND I

SIMON FRASER UNIVERSITY LIBRARY

RECALL NOTICE

CLASSIFICATION #: \_\_\_\_\_

REQUEST DUE IN LIBRARY: \_\_\_\_\_



The above library material has been requested by another patron. Please return the material to the Recall Counter by Due Date.

Fines calculated at one dollar per day and borrowing privileges will be suspended if material is not returned by Due Date.

SIMON FRASER UNIVERSITY LIBRARY  
SECOND NOTICE OF OVERDUE ACCOUNT

JUN-27-73

DEAR PATRON.

SORRY TO AGAIN REMIND YOU OF AN OUTSTANDING ACCOUNT WHICH I'M SURE HAS SLIPPED YOUR MIND. OUR RECORDS SHOW YOU HAVE NOT RETURNED LIBRARY MATERIAL AND/OR YOU HAVE INCURRED FINES FOR OVERDUES WHICH HAVE NOT BEEN PAID. A LISTING OF THE ACCOUNT TO DATE IS ATTACHED - PLEASE PAY AT THE LOAN DESK. IF YOU WISH TO QUESTION THE ACCOUNT PLEASE CHECK WITH MRS. GALE OR MRS. TODD AT THE LOAN DESK BETWEEN THE HOURS OF 8:30AM AND 4:00PM MONDAY THROUGH FRIDAY.

MAY I AGAIN REMIND YOU THAT ACCOUNTS NOT PAID WITHIN 60 DAYS OF BEING INCURRED MAY BE PLACED IN THE HANDS OF A COLLECTION AGENCY FOR RECOVERY.

SINCERELY  
MRS. M. JANS  
HEAD - LOAN DIVISION

4-6C7843620