

# Handbook for Library Trustees of New York State

## 2010 Edition

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With the assistance of the  
**Public Library Systems Directors Organization of New York State  
Library Trustees Association of New York State  
Division of Library Development, New York State Library**

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## ACKNOWLEDGEMENTS

*This latest revision of the **Handbook for Library Trustees of New York State** is a continuation of a decades long effort to provide library trustees with a readable and concise reference to assist them in the performance of their duties. In this edition we have strengthened those areas of the Handbook that generated the most interest since the 2005 edition.*

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## **TABLE OF CONTENTS**

Acknowledgements	ii
Library Trustees of New York State Welcome	iv
Preface from the State Librarian	v
Introduction	1
The Library Network in New York State	2
Laws and Regulations	6
Trustee Duties and Responsibilities	11
Orientation of New Trustees	14
Library Board Organization	16
Library Board Meetings	18
Library Policies	24
Ethics and Conflicts of Interest	27
Personnel	28
Budgets and Finance	33
Planning and Evaluation	38
Access to Library Services	40
Facilities	41
Risk Management	43
Information Technology	45
Public Relations and Advocacy	46
Library Friends and Foundations	47
Trustee Education	49
Intellectual Freedom, Censorship and Privacy	51
Selection of Trustees - Association Libraries	53

## **APPENDICES**

Types of Libraries - a Comparison	2
Library Bill of Rights	4
Sample By-laws	5
Recommendations of the Regents Commission	9
Public Library Glossary	10
Selected Bibliography/Web sites	16
Ethics Statement for Public Library Trustees	19
Map of Public Library Systems in New York State	20



Dear Library Trustee,

The Library Trustees Association of New York State (formerly NYSALB) began its 61 year history under the name Library Trustee Foundation of New York State, having been chartered by the New York State Board of Regents on February 25, 1949.

Prior to its chartering, library trustees were part of the New York Library Association (NYLA), and in 1945 a new NYLA Legislative Committee was formed by NYLA President L. Marion Moshier who appointed five trustees to the nine-member committee. The committee's work was to focus on the first library State aid bill called the Library Emergency Relief Bill. It provided for State reimbursement of 20 percent of local library expenditures. It died in committee.

In 1948, NYLA introduced the County Library Emergency Relief Bill (similar to the 1947 bill, but providing State aid *only* to county libraries). It too, died in committee.

In December of that year, the NYLA Council, led by President Ralph Beals, took a dramatic new direction. It asked the Trustees Section of NYLA to assume the leadership for library legislation through an organization of trustees, independent of NYLA. NYLA voted a \$2,000 grant to such an organization to help the cause. However, the 1949 library legislation which had been sponsored by the new trustee organization also died in committee.

On April 12, 1949 Governor Thomas E. Dewey and his aides met with four Library Trustee Foundation representatives about State aid for public libraries. As a result of that meeting 10 library trustees and five state officials were appointed to the Governor's Committee on Library Aid. The committee's recommendations were approved by the Governor and the Legislature in 1950 – the first major library state aid law in the nation!

As we move into the future, the partnership between the Library Trustees Association and its mission to educate, represent and advocate for library trustees and NYLA's mission to lead in development of library, information services and the profession of librarianship can only advance New York State as a national library leader.

In the complicated and always challenging world of library finances and policy, we as library trustees, must be vigilant in our fiduciary role; mindful of our responsibility to develop libraries of excellence through our attention to library policies; and embrace an active commitment to on-going trustee education and training. This handbook provides you with a solid foundation to start your tenure as an educated library trustee.

Sincerely,

***Mary Ellen O'Connor, President***  
***Library Trustees Association of New York State***

## PREFACE

Libraries provide the “oxygen” for today’s information economy. In cities and towns, rural, suburban and urban, throughout New York State, libraries are equipping people with the tools necessary for life success. With skilled and knowledgeable library staff, a wide array of online resources, traditional print collections, exciting program offerings, and inviting and welcoming public places, libraries are experiencing unprecedented increases in public use.

New York’s public libraries are community gateways to the world’s information resources. Whether in pursuit of an entertaining escape from today’s complexities or a timely solution to a difficult business question, New Yorkers use their local libraries to advance and enhance their personal, educational, and working lives. As essential community resources for lifelong learning, public libraries are indispensable parts of this state’s economic, cultural, educational and social infrastructure.

Library trustees play a special, keenly important role in shepherding the dedicated and prudent use of library resources. Always striving to provide the best service which benefits and supports the entire community, trustees must make policy, personnel and fiscal decisions crucial to a positive direction for the library. While delegating the day-to-day activities to competent staff, the library trustees must always be mindful of how their decisions impact the lives of people and the future of their community.

Library trustees are responsible to the library and to the public it serves. Trustees must fulfill the duties commonly referred to as “care, loyalty, and obedience” and must be tireless advocates for improving library services. Forward-looking, informed trustees are needed to guide their libraries in the Information Age. Reinforcing the traditional services of libraries and welcoming the new, expanded opportunities of broadband internet access, trustees must position their libraries as essential and vital resources for individual and community success.

This new edition of the *Handbook for Library Trustees in New York State* provides advice, guidance and practical information to help trustees succeed in their important stewardship and governance roles. As New York's State Librarian, I am pleased to congratulate and to thank the public library systems and the Library Trustees Association of New York State (formerly NYSALB) for the publication (in print and online) of this new edition. I encourage every trustee to refer frequently to this useful tool as you undertake the exciting challenges and responsibilities of delivering high-quality public services to your communities.

***Bernard A. Margolis***

*State Librarian and Assistant Commissioner for Libraries*

*New York State Library*

*Office of Cultural Education*

*New York State Education Department*

## INTRODUCTION

The purpose of this *Handbook* is to assist both the new and experienced public library trustee in New York State to better understand their job and to present the basic information they need to provide quality library service to their community. It offers advice on the philosophy of governing a library and on the practical, nuts-and-bolts aspects of responsible trusteeship. The information provided is based on the laws and regulations governing public libraries in our state and on the proven “best practices” in the field.

This is but an introduction to the many aspects of trusteeship and should be considered simply as one of the many resources necessary to do the job well. The *Handbook* is intended to be kept in a binder or folder along with other important documents such as the Library’s By-Laws, Policy Manual, and Long-Range Plan, so that updated information can be added as needed.

All trustees should be aware that the New York State Library provides information on a range of topics on their website. [www.nysl.nysed.gov](http://www.nysl.nysed.gov). The Division of Library Development web site deals specifically with public library issues: [www.nysl.nysed.gov/libdev](http://www.nysl.nysed.gov/libdev). In addition, the Mid-Hudson Library System provides an excellent and continually evolving source for trustee training at: <http://midhudson.org/trustee/main.php>. Your regional public library system web site: [www.nysl.nysed.gov/libdev/libs/publibs/1pls.htm](http://www.nysl.nysed.gov/libdev/libs/publibs/1pls.htm) will also provide you with valuable information that will help you do your job.

The effective trustee must be well versed in good governance practices that will enable them to meet the challenges presented by a rapidly changing political, social and cultural environment. Public libraries in our state are faced with complex and sometimes contradictory law and regulation, new technologies and emerging competitors for the library's customers. It is indeed an exciting time to be a library trustee.

Many individuals and organizations across New York State share the goal of improving and extending library service, but individual trustees, acting as part of a library board of trustees in partnership with the Library Director, ultimately bear the responsibility for achieving that goal. This manual is intended to provide an introduction to the practical and philosophical information that trustees will need to augment the common sense and good judgment they exercise in the course of their service.

## **THE LIBRARY NETWORK IN NEW YORK STATE**

Libraries and library trustees in New York State are supported by one of the most extensive and comprehensive library networks in the country. This network is both institutional and digital.

Public libraries are chartered by the Board of Regents of the University of the State of New York, one part of our vast statewide educational system. The Regents' responsibilities include oversight of all educational and cultural institutions, including more than 750 public libraries.

The Regents appoint the Commissioner of Education, who is the chief executive officer of the State Education Department. Among the divisions of the Education Department is the Office of Cultural Education (OCE), comprised of the State Archives, Library and Museum and the Office of Public Broadcasting. The Assistant Commissioner for Libraries and State Librarian is responsible for the activities of the New York State Library and the Division of Library Development. The Division of Library Development coordinates and administers state aid programs as well as the rules and regulations that govern public libraries and library systems. The Division of Library Development also helps to develop new statewide programs of library service and provides guidance on charter changes and other matters that must be referred to the Board of Regents.

Nearer to the local library, and its first source of assistance and resources, is the public library system. Virtually all of the public libraries in the state belong to one of the twenty-three public library systems. There are three types of public library systems: consolidated, federated and cooperative. Each has a different legal structure and relationship with its members or, in the case of consolidated systems, its branches. A thorough comparison of the three different types of public library systems may be found at: [www.nysl.nysed.gov/libdev/libs/libtypes.htm](http://www.nysl.nysed.gov/libdev/libs/libtypes.htm).

Each public library system develops its own long range plan of service as required by Education Law, reflecting the needs of the libraries in the area the system serves. Local governance and control allows library systems to offer programs and services that vary greatly from one region to another. Nevertheless, all public library systems share the same common purpose and responsibility for the development and improvement of their member libraries. The systems are also responsible for providing library service in those areas without public libraries and coordinating resource sharing among member libraries.



Finally, each system is required to designate a central library or co-central libraries whose purpose is to house and offer resources in greater numbers and depth than usually found in local libraries.

Public library system services may include the following:

- Online union catalogs of member library materials;
- Interlibrary loan and delivery of materials;
- Administration of computer networks and integrated library automation systems, including circulation, online public catalogs (OPACS) acquisitions and other sophisticated software modules;
- Cooperative purchase and support of electronic databases, Internet access and telecommunications services;
- Continuing education seminars, workshops and training for library staff and trustees;
- Consultation on library administration, programs and services;
- Specialized support for Young Adult and Children's Services;
- Centralized purchasing, ordering and processing of library materials;
- Assistance in materials selection and collection development;
- Materials cataloging services and advice;
- Web page design and maintenance; printing and other duplication services;
- Service to correctional facilities, nursing homes, and other institutions;
- Outreach services to special populations and consultation on accessibility issues;
- Assistance in, and administration of, state and federal grant programs;
- Services to unchartered areas including contract library services, bookmobiles or other extension services.

New York State also supports two other types of library systems that work with the public library systems to broaden the variety of resources available to all residents of the state. Reference and Research library Resources systems (3Rs councils) were established to enhance resource sharing and to meet specialized reference needs. The 3Rs councils serve primarily as the systems for academic and special libraries but their membership also includes library systems, hospital libraries, and specialized libraries of all types. Individual public and school libraries may also join. The state is also served by forty-one school library systems sponsored by the BOCES and Big Five City School Districts. The school library systems provide support services, consultation, and assistance to both public and non-public school libraries. Also see: [www.nysl.nysed.gov/libdev/libs/libtypes.htm](http://www.nysl.nysed.gov/libdev/libs/libtypes.htm).

The statewide library network also has an important digital component. All public library systems and the State Library offer online catalogs, access to databases and locally developed digital resources that are available on the World Wide Web. Using the Web and various software products to link systems and databases, the State Library, the Library Systems and New York's local libraries offer a seamless virtual library with access to library and information resources within the state and worldwide. This same resource also provides unprecedented opportunities for communication. Through electronic mail, listservs, and online discussion groups, trustees and others concerned with the development of public library service have a fast, easy, inexpensive way to communicate to every corner of our state and beyond.

Working together, the State Library, the public library systems, school library systems and the 3Rs councils offer the local public library and its patrons' access to a vast array of services and resources from around the state and all over the world.

In addition to these resources library trustees have several statewide and national associations available to help them fulfill their mission. Membership and active participation in these organizations not only provides assistance on the local level, but also adds significantly to the collective strength and wisdom of library trustees throughout the State and the nation.

The Library Trustees Association of New York State (formerly NYSALB) is an important source of support and information for local libraries. It is the state organization for library trustees, offering a range of valuable services. It advocates on behalf of library interests at the state level and offers training and workshops of interest to trustees through its Annual Trustee Institute and website: [www.librarytrustees.org](http://www.librarytrustees.org).

The New York Library Association (NYLA) is the statewide organization of library professionals, support staff and advocates. It is dedicated to advancing the interests of all types of libraries and library service in New York State. By representing the library community before the State Legislature, it provides important planning and support in the development of library-related legislation and offers extensive continuing education opportunities through its annual conference and other programs. NYLA may be reached at [www.nyla.org](http://www.nyla.org).

Since many issues affecting libraries originate on the federal level there are also two national associations that work to inform and support libraries, their trustees and their advocates. The Association of Library Trustees, Advocates, Friends and Foundations (ALTAFF) [www.ala.org/ala/mgrps/divs/altaff/index.cfm](http://www.ala.org/ala/mgrps/divs/altaff/index.cfm) is the division of the American Library Association dedicated specifically to library trustees and their particular concerns.

The American Library Association is the national association for library professionals, trustees, advocates and support staff and is also an invaluable resource for information and assistance. [www.ala.org](http://www.ala.org).

Each public library is part of this national and statewide library community. An informed trustee is familiar with the members and components of this community and uses the information and opportunities available to improve the programs and services of their local library.

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## **LIBRARY LAWS AND REGULATIONS**

As education corporations, libraries are subject to a wide range of federal, state and local laws, rules and regulations. While trustees cannot be expected to understand all the details of every pertinent law, they should be familiar enough with the major legal issues to be assured that their library is always in compliance. Boards are strongly advised to solicit the assistance of legal counsel well versed in education and municipal law. It is important however, for every trustee to understand the legal foundation of their library and the extent and limitations of the Board of Trustees' authority.

Public libraries in New York State are chartered by the Board of Regents of the University of the State of New York. The charter gives the library a corporate existence. The basic powers and duties of all library boards of trustees are defined in Education Law Section 226. This law provides fundamental rules of conduct for the Board and details important powers such as the right to hold and control property and hire staff.

Pertinent N.Y. State Education Laws and Regulations include:

- Ed. Law Sec. 216 - Charters;
- Ed. Law Sec. 226 - Powers of trustees;
- Ed. Law Sec. 253 - Definition of a public or association library;
- Ed. Law Sec. 254 - Standards of library service;
- Ed. Law Sec. 255 - Establishment of a public library;
- Ed. Law Sec. 256 - Library service contracts (with unchartered areas);
- Ed. Law Sec. 259 - Library taxes;
- Ed. Law Sec. 260 - Powers of Trustees School District Public Library authority;
- Ed. Law Sec. 272 - Library Systems;
- Commissioner's Regulation 90.2 - Standards for Registration;
- Commissioner's Regulation 90.3 - Approval of Public Library Systems;
- Commissioner's Regulation 90.4 - Standards for Central Libraries;
- Commissioner's Regulation 90.7 – Certification of Public Librarians
- Commissioner's Regulation 90.8 - Appointment of Personnel;
- Commissioner's Regulation 90.9 - Local Library Services Aid;

All public libraries are subject to various parts of Education Law, Public Officers Law and Not for Profit Corporation Law, as well as numerous other New York

State laws governing the conduct of corporations, both public and private; compelling reasons for the Library to retain knowledgeable legal counsel.

Public libraries, municipal, school district or special legislative district public libraries, are also subject to numerous laws and regulations designed to protect the public interest. Most notable of these include:

- Civil Service Law (Job titles, Examinations, due process)
- General Municipal Law (Bidding and Procurement; Conflicts of Interest)
- Labor Law (Hour & Wage, Safety and “Wicks Law”)
- Public Officers Law (Indemnification, Open Meetings & Freedom of Information)
- N.Y. State Comptroller’s Regulations (Accounting standards, Investments)

An excellent compilation of the laws, regulations and pertinent legal opinions affecting the public libraries in New York State is available at: [www.nyla.org/content/user\\_1/Public\\_Library\\_Law.pdf](http://www.nyla.org/content/user_1/Public_Library_Law.pdf)

The New York State Library provides an up to date summary of excerpts from New York State Law and Regulations of the Commissioner of Education pertaining to libraries, library systems, trustees and librarians and a compilation or recently enacted library law at: [www.nysl.nysed.gov/libdev/fundlaw2.htm](http://www.nysl.nysed.gov/libdev/fundlaw2.htm)

### Legal Structure

There are four types of public libraries in New York State: association, municipal, school district, and special legislative district. Trustees and community leaders are quite often confused about the legal structure of their community library and the laws that govern them. Considering the fact that each of these library types has several variations it is critical for all associated with the administration to clearly understand their particular configuration. For a detailed comparison chart see: [www.nysl.nysed.gov/libdev/libs/pltypes.htm](http://www.nysl.nysed.gov/libdev/libs/pltypes.htm)

An **association library** is a private corporation established by the members of the association and not considered a “public” library in the legal sense. It contracts with a unit of local government to provide library service to the residents of that jurisdiction. In legal terms, this contract may be written, oral or implied; but it always exists. Though association libraries are private not-for-profit corporations and not subject to some of the laws and restrictions of true public libraries, they are generally supported by public funds and must always keep that in mind.

A **municipal public library** is formed either by a vote of the governing body of a municipality (village, town, city, or county) or by a public referendum to serve the residents of the municipality. Although the board of trustees is an independent corporate entity, the library acts as an agency of the municipal government and is subject to all the laws applicable to public institutions in the state.

A **school district public library** is organized to serve the residents who live within the boundaries of a given school district (hence the name). The library and the library board are independent of the school district and the school board. The school district is responsible for the collection of taxes and for the issuance of municipal bonds for construction on the library's behalf. The separation of powers between local boards of education and school district library boards is detailed in Education Law Section 260.

A **special legislative district public library** is created by a special act of the State Legislature and established by a local public vote, to serve an area defined by the special legislation. Each of these libraries is somewhat unique but all are considered "public" insofar as adherence to state law.

Federal tax-exempt status should be obtained by every *association* library under Section 501c (3) of the Internal Revenue Code. This exemption allows the library to avoid federal tax liability and also to be eligible to receive tax-deductible gifts. [www.irs.gov/pub/irs-pdf/f1023.pdf](http://www.irs.gov/pub/irs-pdf/f1023.pdf). A library that has such an exemption is required to file IRS Form 990.

The Form 990 functions in place of a federal income tax return for the exempt organization and there are large financial penalties for late filing or failure to file. Federal law requires that the library's completed Form 990 must be on file at the library and available for public inspection upon request.

Association libraries must also obtain an "exempt organization certificate" from the New York State Department of Taxation and Finance [www.tax.ny.gov](http://www.tax.ny.gov) to avoid the payment of state sales tax. Public libraries are by law exempt, though they still must use Form ST-129 to avoid hotel taxes. However, many local merchants will still require a tax exempt number or other documentation. Public libraries may request a letter of exemption directly from the State Department of Taxation and Finance.

**Public** libraries, (municipal, school district and special district) are, by definition, tax exempt and not 501c (3) corporations. However, public libraries may receive a confirmation of their federal tax exempt status from the Internal Revenue Service. [www.irs.gov/govt/fslg/article/0,,id=112708,00.html](http://www.irs.gov/govt/fslg/article/0,,id=112708,00.html). Public libraries generally rely on their Friends or Foundation to take full advantage of 501(c) 3 status.

As noted in the section on **Library Board Meetings**, each library board is required by the Open Meetings Law to conduct its business in public with only a few very limited exceptions. All municipal, school district and special district libraries must also conform to the requirements Freedom of Information Law (FOIL). [www.dos.state.ny.us/coog/index.html](http://www.dos.state.ny.us/coog/index.html). Though association libraries do not fall under the provisions of this law they are wise to consider such a policy since they are generally supported by public funds and are often subject to public scrutiny.

Every library is also required to file the *Annual Report for Public and Association Libraries* with the Division of Library Development of the State Education Department, detailing library activities and finances. Compliance with the state established minimum standards is also reviewed in this annual report. Failure to file such a report in a timely fashion can lead to the loss of state funding and ultimately to the closing of the library.

By Regulation 90.2, the Commissioner of Education has established minimum standards for public libraries. [www.nysl.nysed.gov/libdev/ministan.htm](http://www.nysl.nysed.gov/libdev/ministan.htm). They are as follows:

A public library is required to have:

- Written by-laws;
- A board-approved, written long range plan of service;
- An annual report to the community;
- Written policies for the operation of the library;
- A written budget proposal for presentation to funding agencies;
- Printed information describing the library's rules, hours, services, location, and phone number.

In addition, a public library is required to:

- Periodically evaluate the effectiveness of the library's collection and services;
- Maintain hours of service according to a schedule based on population served;

- Maintain a facility which meets community needs;
- Provide equipment and [electronic] connections to meet community needs;
- Employ a paid director with qualifications based on population served.

The minimum number of hours a library must be open to the public, as established in Commissioner's Regulation 90.2 are as follows:

<u>Population:</u>	<u>Minimum weekly hours open:</u>
Up to 500	12
500-2,499	20
2,500-4,999	25
5,000-14,999	35
15,000-24,999	40
25,000-99,999	55
100,000 and above	60

The minimum education qualifications for library director as established in Commissioner's Regulation 90.8 are as follows:

- 2,500 - 4,999 population: two years of college study;
- 5,000 - 7,499 population: Bachelor's degree;
- 7,500+ population: Master's degree in Library Science (MLS) and NYS public librarian's professional certificate.

Library boards should be aware that the Board of Regents now requires continuing professional education for new librarians to maintain their certification and provide opportunities for their staff to fulfill this requirement.

A public library in New York State must meet these Minimum Standards in order to be registered to receive public funds. Practical explanation of these standards is available at: [www.nysl.nysed.gov/libdev/helpful.htm](http://www.nysl.nysed.gov/libdev/helpful.htm)



## TRUSTEE DUTIES AND RESPONSIBILITIES

***“Trustee/board members owe allegiance to the institution and must act in good faith with the best interest of the institution in mind. The conduct of a trustee/board member must, at all times, further the institution's goals...”***

Statement on the Governance Role of a Trustee or Board Member; New York State Board of Regents.

A trustee is a person to whom property is legally committed in trust. A library trustee's commitment is to both the physical property and resources of the library and the services it provides. The library board has the final responsibility to see that its library provides the best possible service to its community.

The New York State Board of Regents, the institution responsible for the chartering and oversight of educational corporations in New York, describes the duties of Trustees as those of *“Care, Loyalty and Obedience”*. All actions must be taken with these principles in mind.

### *Duty of Care*

*A trustee or board member must act in good faith and exercise the degree of diligence, care and skill that an ordinary prudent individual would use under similar circumstances in a like position.*

### *Duty of Loyalty/Conflicts of Interest*

*Trustees/board members owe allegiance to the institution and must act in good faith with the best interest of the organization in mind. The conduct of a trustee/board member must, at all times, further the institution's goals and not the member's personal or business interests...A trustee/board member should avoid even the appearance of impropriety.... Acts of self-dealing constitute a breach of fiduciary responsibility that could result in personal liability and removal from the board.*

### *Duty of Obedience*

*A trustee/board member has a responsibility to insure that the institution's resources are dedicated to the fulfillment of its mission. The member also has a duty to ensure that the institution complies with all applicable laws and does not engage in any unauthorized activities.*

In addition, the Regents charge the Trustee to “*ensure that financial resources are being used efficiently and effectively toward meeting the institution’s goals*”; and to “*hire a CEO to manage the operation of the institution and evaluate his/her overall performance*”.

(All excerpts from: Statement on the Governance Role of a Trustee or Board Member; New York State Board of Regents) [www.regents.nysed.gov/about/stmt07.pdf](http://www.regents.nysed.gov/about/stmt07.pdf).

The particular responsibilities of trustees are few in number but broad in scope. They are:

- Create and develop the mission of the library;
- Select, hire and regularly evaluate a qualified library director;
- Secure adequate funding for the library's service program;
- Exercise fiduciary responsibility for the use of public and private funds;
- Adopt policies and rules regarding library governance and use;
- Regularly plan and evaluate the library's service program;
- Maintain a facility that meets the library’s and community’s needs;
- Promote the library in the local community and in society in general;
- Conduct the business of the library in an open and ethical manner in compliance with all applicable laws and regulations and with respect for the institution, staff and public.

Every trustee makes a personal commitment to contribute the time and energy to faithfully carry out these duties. Although the board is legally responsible for all aspects of the library as an institution, it is unreasonable to expect a trustee or the whole board to be expert on every activity or concern that affects the library. Sometimes the most important thing a board can do is acknowledge that it does not have enough information or resources, and to ask for help. A trustee must make decisions based on the best information available. It is often wise to consult with your public library system staff or specialists such as lawyers, accountants, architects, computer analysts and other experts.

Under New York State law, library boards have broad and almost exclusive powers and authority to administer the library. The board should not only be concerned with the internal operations of the organization but also alert to external trends and changes that can affect the library’s program of services. Being proactive and open to change is imperative in order to survive and thrive in a world in which change is the only constant.

**Checklist for Effective Library Trustees:**

- Be active and informed about library matters in general and of those affecting your library. Ask questions of the director and study the issues.
  - Attend all board meetings and be fully prepared to participate knowledgeably.
  - Question issues until you understand. Don't be reluctant to vote no on a proposal you don't understand or are uncomfortable about.
  - Be a team player and treat your fellow board members with respect.
  - Support board decisions even if you disagree. A democracy works by the rule of the majority. Seek reconsideration in the future if circumstances change.
  - Understand the roles of all involved - the board, director, staff, Friends, and patrons. Respect all opinions; whether you agree or not.
  - Conflicts of interest by any board member are the concern of all members of the board. A trustee or family member may not receive, or appear to receive, any gain, tangible or intangible, in dealing with the library.
  - Advocate for the library in every manner possible.
  - Support competitive salaries in order to attract and retain qualified staff. Appropriate compensation is a direct measure of the commitment and respect a community has for the institution and its staff.
  - Understand and respect the role of the director as Chief Executive Officer (CEO) of the library corporation and support the director's administrative decisions.
  - ***Lastly, it's about the Library, not about you. Always remember that your primary job is to provide the highest quality library service possible for your community, not the cheapest.***
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## ORIENTATION OF NEW TRUSTEES

A successful trustee begins with a thorough understanding of libraries and the laws that govern them. A formal orientation with the library director and the Board President is the best way to learn about your organization. This orientation should include a discussion of the library's mission and goals, its role in the community and a review of the critical issues facing the organization. A good orientation will provide trustees with the information they need to carry out their responsibilities effectively and will generate a spirit of ongoing curiosity about the library and its role in the community.

Responsibility for planning and conducting the new trustee orientation is shared among the Board President, other board members and the library director. The specifics will vary depending upon the style of the board and the size and type of library. Regardless, it is essential to have a formal orientation for all new trustees as soon as possible.

All new trustees should receive a tour of the library and an opportunity to meet the staff. The library director and Board President can provide information on:

- ❖ Mission, goals, long-range plans and projects in progress;
- ❖ How the library is organized and governed;
- ❖ Responsibilities and expectations of trustees;
- ❖ Funding sources and how the budget is created and managed;
- ❖ Ways the library serves the needs of the community and how it is linked to other organizations and resources;
- ❖ Recent accomplishments and challenges;
- ❖ Board relationships with the director, staff and volunteers;
- ❖ Day to day operations.

Every trustee should receive a thorough orientation and packet of essential documents to keep in a notebook of library related materials. It is wise to become familiar with these items before you fully participate in board decisions.

The following information is typically provided:

- ❖ A brief history of the library;
- ❖ Copies of the library's charter documents;
- ❖ By-Laws of the Board of Trustees;
- ❖ Board membership and contact information;
- ❖ Board Committee memberships;
- ❖ Schedule of Board meeting dates;
- ❖ Minutes of recent Board meetings;
- ❖ Information on Open Meetings Law;
- ❖ Library policy manuals; Long range or strategic plans;
- ❖ Current Operating Budget;
- ❖ Recent monthly financial reports and statistics;
- ❖ Results of the most current community survey about the library;
- ❖ Union contract (if applicable);
- ❖ Staff Handbook;
- ❖ Staff List & Organization Chart;
- ❖ Previous annual audit(s);
- ❖ Library service contracts, relevant local and state laws and other key documents pertaining to the library;
- ❖ An explanation of the State Library and the library's public library system, including the services they provide to the library;
- ❖ Library newsletters, brochures and related library websites;
- ❖ Information on the Friends of the Library;
- ❖ *Handbook for Library Trustees of New York State*;
- ❖ Board of Regents *Statement on the Governance Role of a Trustee or Board Member* [www.regents.nysed.gov/about/stmt07.pdf](http://www.regents.nysed.gov/about/stmt07.pdf)

All trustees should keep this notebook up to date by adding to it such documents as minutes and reports that are distributed at board meetings.

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## LIBRARY BOARD ORGANIZATION

Public libraries are required by the Regulations of Commissioner of Education of New York State (CR 90.2) to operate under written by-laws. By-laws are "the set of rules adopted by an organization defining its structure and governing its functions." (Sturgis, *The Standard Handbook of Parliamentary Procedure; third edition, new and revised*, p. 257).

By-laws may not conflict with federal or state law and regulations; such law and regulation is the highest authority governing the library's affairs.

A board will probably find the need to tailor its by-laws to local needs and situations. The by-laws should be reviewed periodically and amended when necessary to maintain flexibility and relevance. All by-laws should include the following provisions:

- Name of Organization, purpose, objectives and area served;
- Board terms and composition;
- Procedure for election, appointment and removal of trustees;
- Procedure for filling an unexpired term;
- Duties and powers of board officers;
- Schedule of meetings;
- Procedure for special meetings;
- Attendance requirements;
- Quorum requirements;
- Summary of the director's duties;
- Standing and special committees;
- Order of business for board meetings;
- Parliamentary authority;
- Procedure for amendment of the by-laws.

Trustees of municipal, school district, and special legislative district public libraries, and trustees of cooperative and federated library systems are required to file the oath of office specified in the State Constitution:

*"I do solemnly swear (or affirm) that I will support the Constitution of the United States, and the constitution of the State of New York, and that I will faithfully discharge the duties of the office of trustee of the \_\_\_\_\_ Library, according to the best of my ability."*

The oath may be given by any officer of the court (judge, attorney, notary public) and must be filed in the local county clerk's office. Failure to do so will vacate the position. See: [www.nysl.nysed.gov/libdev/pltrust/oath.htm](http://www.nysl.nysed.gov/libdev/pltrust/oath.htm)

It is also good practice for the board to request a formal letter or certificate of appointment or election for each new trustee from the body that made the appointment or conducted the election, such as the town or village board or school district clerk. This document should state the term of office.

### Collective Authority

Under New York State law, a library board has broad authority to manage the affairs of the library, but it is a collective authority. Individual trustees, regardless of their position on the board, do not have the power to command the services of a library staff member, nor to speak or act on behalf of the library unless they have been specifically granted that authority by a vote of the board.

An important corollary to this concept of collective authority is the need for the board to speak with one voice once a decision has been made. Debate, discussion, and even disagreement over an issue are an important part of policy development and the decision making process. However, every trustee has an ethical obligation to publicly support an adopted board decision.

The First Amendment protects the rights of a trustee who disagrees so strongly with a board decision that he or she must speak out publicly against it. However, in such instances the individual must make it clear to all concerned that they do not represent the library and, indeed, may wish to seriously consider resigning from the board if such action interferes with their ability to effectively fulfill their responsibilities as a trustee.

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## LIBRARY BOARD MEETINGS

Meetings are conducted under the rules set forth in the library's by-laws. In order for all trustees to be properly prepared for the meeting, a packet should be mailed or e-mailed to them no less than one week before the meeting date. The packet should include the meeting agenda, minutes of the previous meeting, financial reports, the library director's report, and any other documents that pertain to the business of the meeting. All trustees are expected to come prepared to participate fully in meeting discussions and actions and to be familiar with the activities of the committees to which they are assigned. Using the talents and skills of every board member creates a more cooperative, congenial and productive board.

**Regular attendance at board meetings is essential.** The Board President should be notified in advance if attendance is not possible. A trustee who misses meetings frequently may not completely understand the issues at hand and valuable meeting time can be lost bringing that trustee back up to speed. An uninformed trustee also cannot make the best possible decision when it comes time to vote. Education Law 226 declares that *"If any trustee shall fail to attend three consecutive meetings without excuse accepted as satisfactory by the trustees, he shall be deemed to have resigned..."* It is a good idea to define in the by-laws what constitutes a satisfactory excuse for absence.

Far too often boards tolerate frequent absences by a board member to the detriment of the board and the library. A successful Library Board needs every trustee at every meeting. A trustee who has difficulty in regularly attending meetings may wish to seek other opportunities to help the library rather than serving on the board.

The most effective boards concentrate their time and energy on a few issues that will have a major impact on the library's future. Activities that can be completed by individual trustees outside the meeting (such as reading the minutes) should not take up valuable time at a board meeting.

Richard Chait of the Harvard School of Education, an authority on nonprofit boards, states the key concepts this way:

- Focus the board's attention only on issues that really matter;
- Use the board's time and structure to pursue those issues;
- Be certain that the board has the information it needs at the right time;
- Ensure that the board works as an effective corporate unit.



Board meetings generally should be completed within two hours. If meetings consistently last longer, issues can be referred to committees or the director for further study or tabled for action at subsequent board meetings. Establish an ending time for the meeting and stick to it.

Every board meeting should have an agenda distributed in advance, along with copies of the previous meeting's minutes, financial reports, the schedule of bills to be paid, proposed personnel actions, committee reports and the director's report. Background information on the issues before the board should be distributed as well.

Managing an effective meeting is the duty of the Board President. Beginning on time and keeping the discussion focused on the topic at hand are key to quality meetings. Though local practice may vary from library to library there are several critical issues that apply to all public libraries in our state.

### *Open Meetings and Executive Sessions*

All public libraries in New York, including association libraries, are subject to the Open Meetings Law. (see Education Law 260a and Public Officers Law; Article 7) This law requires that board meetings must be properly posted and advertised and open to the public. In addition, working sessions of the board (even if they are not formal meetings) must be advertised and open if a quorum of the board is expected to attend. Notice of all board meetings must be sent to the news media, noted on the Library's website and posted in a public place such as the Library bulletin board.

Recent opinions from the Committee on Open Government clearly state that Open Meetings Law also applies to committees and sub-committees of the Board if they are comprised primarily of board members; *even if they number less than a quorum of the entire board*. (see: [www.dos.state.ny.us/coog/oml\\_listing/oc.html](http://www.dos.state.ny.us/coog/oml_listing/oc.html) for opinions.)

Executive sessions, meetings from which the public and the news media may be excluded, may be convened during an open meeting for a limited number of specific purposes. Those which usually apply to libraries are:

- Discussions regarding proposed, pending or current litigation;
- Collective [bargaining] negotiations pursuant to Article 14 of the Civil Service Law (the Taylor Law);

- The medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation;
- The proposed acquisition, sale or lease of real property or the proposed acquisition of securities, or sale or exchange of securities held by such public body, but only when publicity would substantially affect the value thereof.

An executive session is convened only as part of a public board meeting, not as a separate meeting. The board must vote to enter executive session and state the general nature of the session for its minutes. The board is permitted to take formal action and vote on any matter in executive session except the appropriation of public monies. However, such actions must be detailed in minutes of the executive session (see below). It is usually advisable to adjourn from the executive session and return to the regular meeting to take any formal action or approve specific resolutions.

Boards often use executive sessions to discuss matters with which they feel uncomfortable in a public setting yet are not defined within the law. **This is not only inappropriate, it is illegal.**

Insofar as Board communication between meetings, the Committee on Open Government opines: *“there is nothing in the Open Meetings Law that would preclude members of a public body from conferring individually, by telephone, via mail or e-mail. However, a series of communications between individual members or telephone calls among the members which results in a collective decision, a meeting or vote held by means of a telephone conference, by mail or e-mail would in (our) opinion be inconsistent with law.”*

### Minutes

Minutes of all board meetings are required by the Open Meetings Law. They, along with financial statements and other official records, should be kept in a secure but accessible place and available to the public upon request. Minutes of a regular session of the board must consist of *“a record or summary of all motions, proposals, resolutions, and any other matter formally voted upon and the vote thereon.”* Although it is not required, most minutes also include a summary of discussions relating to the issues covered. Minutes must be on hand for public inspection within two weeks of the meeting, even if they have yet to be approved.

Minutes of executive sessions are required only if the board took formal action in the executive session. If no vote or other action is taken, no minutes are required. Otherwise, the minutes of an executive session must provide "*a record or summary of the final determination*" or action the board took in the session. These minutes must also be available for public inspection within two weeks.

For further information on the Open Meetings Law and the Opinions of the Committee on Open Government: [www.dos.state.ny.us/coog/index.html](http://www.dos.state.ny.us/coog/index.html)

### Quorum

The library by-laws must establish what determines a quorum, or the minimum number of trustees required in attendance necessary to conduct business. Board members must be present to vote. Teleconferencing does not meet the requirements of the Open Meetings Law. (Videoconferencing is permitted, but the videoconferencing sites must be open to the public and cited in the notice of the meeting.) Proxies do not meet the requirements of the law.

No matter what makes a quorum, it is important to note that, under New York State General Construction Law, Sec. 41, no action can be approved by the board of a *public* library without a "majority of the whole". In other words, should your board consist of seven members; an affirmative vote of four is always required for a motion to pass, regardless of the number of trustees in attendance. Tie votes defeat the motion. *Association* library boards, though not technically "public", are advised to consider such a procedure when establishing the definition of a quorum in their by-laws.

### Agenda

A consistent and business-like agenda is essential for the efficient conduct of library business. The agenda serves as the blueprint for the meeting and should be followed closely. In order to avoid surprise issues the agenda should be developed by the director, reviewed with the Board President and sent out to the board well ahead of time with all pertinent materials. Changes to the agenda may be adopted at the beginning of the meeting. Below is a typical agenda that may serve as a template.

### Sample Agenda

- I. Call to Order
  - II. Pledge of Allegiance
  - III. Adoption of Agenda
  - IV. Approval of prior Meeting Minutes
  - V. Period for Public Expression
  - VI. Correspondance
  - VII. Personnel Report
  - VIII. Treasurer's Report
    - a. Report of receipts and disbursements
    - b. Warrants
    - c. Presentation of projected cash flow
  - IX. Director's and Administrator's Reports
  - X. Committee Reports
  - XI. Old Business
  - XII. New Business
  - XIII. Period for Public Expression
  - XIV. Dates of Future Board Meetings
  - XV. Other Business
- Executive Session:** Director's Annual Performance Evaluation  
\* action required

### Fiduciary Responsibility

Among the responsibilities given to trustees is the oversight of the library's finances. All expenses must be approved by the board at a legally held meeting. (Please note that some recurring expenses, such as salaries and utility bills, may be approved for payment prior to a board meeting but must be formally approved at the next meeting.) The board should receive, review and understand up-to-date reports on the financial status of the organization in relation to the adopted budget. This is not to imply that the board should micromanage every expense. It is their responsibility to assure that proper checks and balances are in place so that the library can operate efficiently, yet with appropriate due diligence on the part of the board. (see **Budget and Finance** Section)

### Personnel

According to Education Law Section 226 all personnel actions must be approved by the Board of Trustees at a legal meeting. This does not suggest that the board selects staff other than the director. It does mean that the board creates all positions, establishes salaries and formally appoints the staff upon the recommendation of the director. (see **Personnel** Section)

### Staff Reports

Effective Board meetings include reports from the Director and other critical personnel, such as Department Heads or staff reports on new service initiatives.

The Director's Report typically includes:

- Significant changes in day-to-day operations, the facility, web site or budget;
- Financial matters that may come up later for a board vote;
- Update on internal projects (i.e., weeding, technology upgrades, web site redesign);
- Relevant statistics and comparisons;
- Summary of the System and Directors' Association meetings;
- System and State advocacy efforts on behalf of library funding;
- Information about upcoming programs, new services or an unexpected service that people may not know much about.

Boards often focus on one department or service each month, with a report and/or presentation from selected staff. This keeps trustees up to date on all aspects of the Library and allows for a meaningful and appropriate interchange between trustees and Library staff

### Public Expression

Board meetings are for the conduct of library business. They are not public hearings about library affairs. The Open Meetings Law makes no provision for public participation, though it is wise to set aside a period for public expression in the agenda. In the interests of time and the effective conduct of business, boards are advised to adopt a policy regarding participation by the public in their meetings. Individual public comment may be limited but such rules must be consistent. All members of the public attending a board meeting, regardless of residency, may speak. Best practice suggests two opportunities for the public to speak so that a person is not forced to sit through the entire meeting to comment.

## LIBRARY POLICIES

Policymaking is perhaps the most difficult part of a trustee's job, requiring an open mind, a thoughtful study of the issues involved and a deep understanding of the library's mission and of the community it serves.

Policies are the rules and the principles that guide the operation and the use of the library. Though state law specifies just a few specific policies, they are required by Commissioner's Regulation 90.2 as part of the public library minimum standards. The library board is responsible for creating such policies, reviewing and revising them, and ultimately enforcing them with the assistance of the library staff. Policies must be clearly written and understandable.

All policies should include a process by which the board can respond to public comments or complaints. Policies are, in effect, the rules of the library and should not be confused with procedures, which are an administrative function and describe how things are done.

It is a good idea to categorize the library's policies into internal (such as personnel, disaster planning, financial controls, etc.) and external (dealing with the public). These areas can be further broken down to suit your library's particular organizational structure. There are many good resources for policy development, especially your public library system.

Typically, library boards have written policy statements in the following areas, as well as a policy and procedure for a regular review of policies:

### Internal Policies:

- Confidentiality of library records;
- Emergency procedures (i.e.: building evacuation, flood control, etc.);
- Personnel policies, including detailed job descriptions, terms and conditions of employment, hours of work, employee benefits, evaluation procedures, working conditions, grievance procedures, sexual harassment, etc.
- Nepotism
- Purchasing
- Investment of public funds;
- Public Relations;
- Continuing education of staff and trustees;
- Volunteers;
- Fundraising, gifts, memorials and their disposition;

- Records Retention
- Code of Ethics and Conflict of Interest.

External Policies:

- Patron complaints;
- Procedure for challenges to library materials;
- Censorship;
- Non-resident use;
- Hours and days of operation;
- Lending rules and procedures;
- Collection development and weeding;
- Acceptable patron behavior;
- Unattended children policy and procedures;
- Acceptable use of the Internet and electronic resources;
- Use of meeting rooms, exhibits, and display space;
- Public access to records

All policies should be able to stand alone and be dated for the original adoption and the last review and/or revision. They should be recorded, compiled, and organized for ready access in a policy manual. Every trustee should have a copy of the policy manual and must be familiar with its contents. A thorough understanding of the library's policies is the foundation from which to adopt new policies, revise old ones, and interpret or defend the library's rules.

Personnel policies are critical to any successful operation and must be consistent and in conformance with applicable state and federal law. Each library staff member should receive a copy of the personnel policies at the time of employment. A written acknowledgement of receipt is important.

### Policy Development

Policy development and policy revision often involve major decisions and considerable philosophical reflection. Boards must allow adequate time to discuss and assess policy options and ramifications. While trustees alone have the legal authority to make policy, the process works best when the library director and other key staff are closely involved. The staff has an important role in researching options, drafting recommendations, and presenting them to the board for discussion and approval.

When establishing new policy the board should seek from the director sufficient information to discuss the issue with confidence. This should include:

- A description of the issue that requires policy consideration;
- A statement describing how a policy would contribute to the accomplishment of the library's goals and objectives;
- A list of existing policies related to or affected by the proposed policy;
- A list of the policy options available, with appropriate analysis (including effects of enforcing the policy, legal ramifications, and costs to resources, facilities, and staff);
- A recommendation, accompanied by the justification for changes in any existing policies.

When any existing policy is under evaluation, the board should ask if it is:

- In compliance with all laws and regulations;
- Consistent with the library's mission, goals, and plans;
- Consistent with the Library Bill of Rights and the Freedom to Read Statement;
- Complete, clearly written, and easily understandable;
- In the best interest of the community at large, devoid of politics, prejudice, or favoritism;
- Easily enforceable without undue burden on the library staff;
- Designed to maximize library services and access for the greatest number of users.

Copies of the policy manual must also be housed in the library and be easily accessible by the staff and public. The director is responsible for instructing the staff about the policies that affect their work and assuring that they fully understand these policies. Staff members are on the front lines when a policy question arises and it is essential that they are able to explain all policies to the public in a clear and effective manner.



## ETHICS AND CONFLICT OF INTEREST

In today's political environment accountability and ethics are critical ingredients for any public organization. As public libraries continue to develop and expand and rely to a far greater extent on the support of local taxpayers it is essential for every library board to have in place a policy clearly stating the ethical principles upon which they work. In every decision trustees should be sensitive to even the appearance of impropriety.

In this context trustees or their families may not enter into a business relationship with the library, even if they are providing a service below cost. A sample policy may be found at: [www.ala.org/ala/mgrps/divs/alta/links/ethicsstatement.pdf](http://www.ala.org/ala/mgrps/divs/alta/links/ethicsstatement.pdf)

Conflicts of interest are defined in General Municipal Law Section 800. Though trustees of association libraries are generally not considered "public officers", the State Comptroller has held that *"the common law rule (regarding conflicts of interest) is not limited to public officers and municipalities; it also applies to private positions of trust...and is applicable to trustees of a free association library."* [3 OP State Compt. 485, 1947].

The Comptroller further states: *"...it is wise to have a 'conflicts of interest policy' that clearly states the procedures to be followed if a board member's personal or financial interest may be advanced by an action of the board.*

*...The organization should also have a code of ethics addressing such issues as transparency, disclosure in fundraising solicitations, integrity in governance and diversity."* [Internal Controls and Financial Accountability for Not-for-Profit Boards: [www.ag.ny.gov/bureaus/charities2/pdfs/Internal%20Controls%20-%20Final%20-%20Small%20Type.pdf](http://www.ag.ny.gov/bureaus/charities2/pdfs/Internal%20Controls%20-%20Final%20-%20Small%20Type.pdf)]

In a similar fashion, library boards are strongly encouraged to adopt anti-nepotism policies to address the management and public relations issues surrounding the employment of both trustees' and staff family members.

Though not necessarily an ethical or legal issue, "appropriate and professional" behavior by board members is every trustee's concern and responsibility. You reflect the library to the community. The most successful boards have a positive culture of mutual respect and understanding. When any member acts in a manner that is not in the best interests of the library or in the cooperative nature of the board, the Board President should discuss the issue with the trustee in a direct and constructive manner.

## PERSONNEL

The management and operation of a library are accomplished through a partnership among trustees, the library director, staff and volunteers.

As the library's governing body (and the entity with ultimate accountability for the institution), the board of trustees has the responsibility to hire a competent, professional and responsible library director as the “CEO” (Chief Executive Officer) and then to review and evaluate that person's performance regularly. Having hired a director, the board has an obligation to support the director wholeheartedly within the context of the employment relationship. Good communication and cooperation between the board and library director and an appreciation of the interdependency of each other's roles are prerequisites to a well-managed library.

It is critical for the board to establish clear lines of communication with the director. In general, the board's directions and intentions are communicated to the director through the President of the Board. Individual trustees should refrain from issuing specific instructions to the director at board meetings and especially between meetings. Such individual directions are inconsistent with the concept of collective board authority and a library director risks being caught between conflicting intentions, even among well-meaning trustees.

The day-to-day management of the library, including the management of staff, is the library director's responsibility. The director is the only employee supervised by the board; the director is responsible for the management and supervision of all other library employees. Trustees have a responsibility to know staff at a friendly but professional distance, to be cordial and supportive and to promote good will, but they must approach staff relationships with a degree of caution. Usurping the administrative prerogatives of the library director can only undermine that person's position and authority.

Some trustees act as library volunteers, especially in small libraries. Likewise, libraries without an anti-nepotism policy often have trustees' family members on staff. (The law only specifically prohibits public library trustees from appointing their close relatives as “officers of the corporation”, i.e., director, treasurer or trustee.) This can lead to an awkward situation for all involved.

A trustee is part of the governing board of the library, while staff and volunteers report to the library director or other paid supervisor. Role confusion is almost inevitable and any trustee who pursues the role of volunteer or has a family member or friend on staff must be extremely sensitive to the potential conflicts of authority that may arise. It is best to avoid such situations whenever possible.

Library policy should clearly indicate the process for staff complaints and grievances, and the board should never get involved in such activities outside of that policy. Individual trustees must never address staff complaints and grievances; rather, they should refer the staff to the policy. If and when a grievance reaches the board level, it is usually the responsibility of the director to communicate the board's decision back to the staff. Only in those cases where the grievance involves the director should the board communicate directly with the staff.

### Appointment of Staff

New York State Education Law specifies that all personnel actions must be approved by the Board of Trustees at a legal meeting. This does not suggest that the Board selects staff other than the director. It does mean that the Board creates all positions, establishes salaries and formally appoints the staff upon the recommendation of the director. In other words, ***the director selects, the board appoints.***

Though the board must ultimately approve all appointments, titles and salaries, and so note in their minutes, often simple staff appointments such as pages or part time support staff cannot wait until the next board meeting. In such cases retroactive appointments are commonly made. Likewise, public library boards will often approve an appointment “pending civil service approval” in an effort to streamline the sometimes awkward formalities of civil service rules.

Typically, the board will review the credentials of candidates recommended for higher level staff positions such as department head or assistant director in order to be familiar with the Library’s leadership.

In any case, the board retains its authority regarding the appointment and compensation of library employees.

### Selecting the Library Director

The most important responsibility of a library board of trustees is to select a library director who not only can work effectively with the board, and professionally manage the institution, but who also reflects the ideals of the institution and the community it serves. In addition, all libraries are required to comply with Commissioner's Regulations governing the minimum qualifications for library director, while public libraries must also conform to the civil service rules for employment in their jurisdiction and in the State of New York.

When embarking on this process it is appropriate for the board to ask themselves a number of critical questions about the library, the library board and the type of leadership they require. Such questions might include:

- ❖ What qualities do you value in your Library Director?
- ❖ What are the most important skills your Director must possess?
- ❖ What roles do you see the Director playing with the Board, the staff and the community?
- ❖ What significant initiatives and challenges do you foresee for the Library in the next five years?
- ❖ Do you prefer a well-experienced Director or are you willing to give bright young talent a chance?
- ❖ Would you prefer (or not) a local resident?

All too often library boards look for the easy way out, the simplest or quickest choice or the cheapest alternative. Competent leadership of the library is essential for its efficient management and future success. Choosing an inadequate director will result in more work for the board and a disappointing library. Every library deserves a qualified library director who is respected by the board and community and is appropriately compensated.

To assure the best selection solicit candidates from a wide variety of sources. Talk to your library system director. Thoroughly evaluate resumes and hold additional interviews for good candidates. Ask tough questions but be certain to stick within the law. Check references and previous employers. Lastly, negotiate a fair agreement for salary and benefits. Qualified professionals will expect no less.

### *Performance Evaluation*

In order to maintain clear communication and effective management it is critical for the trustees to regularly evaluate the performance of the library director. It is often one of the most difficult tasks as well. There are several good reasons to conduct an annual performance review. Among them:

- A review provides the director with formal feedback on his or her job performance;
- The evaluation effort provides the board with critical information about the operations and performance of the library;
- The evaluation process can be used to establish the goals and objectives of the library, as well as of the director;
- A meaningful evaluation process can link compensation to job performance;
- A thoughtful evaluation can provide motivation, direction and encouragement;
- The process can be coordinated with the determination of community needs, thereby providing an important component of the library's ongoing planning process;
- The formal evaluation process is necessary to properly document unsatisfactory performance.

It is essential that a written, reasonable and up-to-date job description be in place as a benchmark. The annual evaluation is the time when members of the board and their chief executive focus on the important issues facing the library and evaluate how the director and the board are performing as a team. There are many sample evaluation forms available but it is the process itself that is most important, not the form. In order to make the process more effective consider the following tips:

- Have a valid, realistic job description in place;
- Have a written agreement or contract stating the director's conditions of employment, salary and benefits;
- Conduct a written evaluation of the critical aspects of the job by members of the board or have the director provide a detailed self evaluation for board review and discussion;
- Evaluate the director's performance against the goals and objectives of the library's long range and strategic plans;
- Use the opportunity to evaluate the board's performance as well;
- Make sure the entire board participates in the evaluation process;
- Be open and honest and do it face to face.

As a trustee, it is sometimes necessary to remind yourself that your first responsibility is to the library and the community it serves. The role of employer may be a role to which many trustees are unaccustomed and it can sometimes seem easier to let an uncomfortable situation slide rather than face it head on. This is especially the case in small communities where trustees and library staff may have been friends and neighbors for many years. An unwillingness to deal directly with difficult personnel issues will ultimately damage the library and its ability to provide the best service to the community. If a library director has truly demonstrated a continuing, documented inability to manage the library effectively, the board must look for a new person who can do so rather than make excuses or run the library themselves.

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## BUDGETS AND FINANCE

Public library boards are legally responsible for the library's finances and financial management. As custodians of public funds, trustees must be accountable in their management of the library's money. All too often library boards fail to live up to their duty to secure adequate funding for the library's service program and to exercise appropriate fiduciary oversight.

### *The Budget Process*

Every public library, regardless of size, must prepare and adopt a written annual budget. In larger libraries, budget preparation is primarily the responsibility of library management. The board of trustees defines the library's mission, and the director translates that mission into programs with specific costs that form the basis for a draft budget. *The best budgets are developed in relationship to the library's long range and strategic planning process.*

During its development, the budget draft should be reviewed and scrutinized by the president, the library treasurer or the board finance committee, depending on local practice. The final budget draft should be the product of careful review and discussion by a number of people even before it is presented to the full board. If a budget is presented to the electorate or a local government for approval, the entire board should review, discuss, and approve it.

Directors must be full partners in the budget development process in libraries of all sizes. As the manager of the library, the director has an important perspective on the library's programs, services, and costs that trustees do not. Smaller libraries may also seek assistance from their public library system.

A budget is a flexible document, not a rigid rulebook. Plans and circumstances will change during a fiscal year and the board has both the authority and the responsibility to revise the budget to accommodate new situations.

### *Fund Accounting*

Depending on its circumstances, the library may have more than one fund. The *operating fund* is the account from which the library's day-to-day income and

expenses are received and disbursed and it is usually the account through which almost all receipts pass. This is the primary fund for the library's annual budget.

A *capital fund* is a separate account established for special one-time, unusual and usually high cost activities such as construction, renovation, or major equipment purchases. Often end-of-year surplus from the operating fund is transferred into the capital fund for future use.

A library may also have an *endowment fund*, which exists independent of the operating fund and whose purpose is to generate supplemental revenue for the library. Often such funds are designated for specific purposes.

Library boards may establish other special purpose funds for accounting and planning purposes. Monies may be transferred into and out of such funds only with formal board approval. Each such fund must be identified in the library's annual audit and its purpose understood by every trustee.

Having acquired funds from a local government, community taxpayers or other sources, the board has an obligation to spend the money! Although a reserve fund is prudent and appropriate, the library should not hoard excessive amounts of money as a hedge against the proverbial rainy day. Local governments, voters, and donors do not give or appropriate money to the library so the board can put it away in a safe place. They are buying service from the library!

### *Audit and control of funds*

Under New York State law, the board of trustees has sole authority over the expenditure of funds appropriated for library purposes. The board, therefore, must have a method in place for the review and approval of all expenditures. All trustees should receive a monthly financial statement prepared or approved by the library treasurer, showing receipts, expenditures, and a comparison with the budget. All expenditures of library funds must be approved by the library board either prior to the expenditure or, for such items as petty cash, recurring utilities or subscriptions, soon thereafter. Each library should have a policy governing such transactions.

All libraries are required to submit a financial report as part of their *Annual Report* to the Division of Library Development. In addition, all public libraries are required to submit an *Annual Update Document (AUD)* to the N.Y. State



Comptroller and all association libraries should submit *Form 990* to the Internal Revenue Service as not-for-profit educational entities.

### External Audits

Boards should also authorize annual external audits by an independent certified public accountant in order to assure that the financial management and control system is functioning properly. The purpose of an audit is to certify the accuracy of the library's financial statements. The auditor is testing the financial control system for reliability. The audit is an opportunity to verify and confirm the library's proper financial management and to learn from outside financial professionals. Several years of independent audits are often required when libraries seek to borrow funds or issue municipal bonds for capital projects.

Though not required by law, libraries are strongly advised to conform to the highest accounting standards recommended by the Governmental Accounting Standards Board [www.gasb.org](http://www.gasb.org) in their management of public funds.

### Library funding

The library board is responsible for obtaining sufficient funding to provide appropriate service to the local community. Adequate funding is not the job of the library director. The library is an essential cultural, recreational, and educational resource in the community and trustees must be closely involved in the search for support. A public library is a public service and stable, reliable public funding is the most appropriate way to pay for it. A public library is not a charity!

In addition to tax monies, public libraries seek out funds from a variety of other sources. These include government and foundation grants, gifts and bequests, fundraising campaigns, fines and fees and investments. All of these sources can provide important added dollars for the library's budget, but they should always be considered supplemental to tax support. The public library system can provide information on grants and other supplemental funding sources available. To rely on donations for critical operational expenses such as salaries, building maintenance and utilities is inviting a crisis for the library. Libraries finding themselves in such a crisis situation are well advised to investigate alternative

models for funding library service as demonstrated by the public library district model. [www.nysl.nysed.gov/libdev/libs/pldtools/index.html](http://www.nysl.nysed.gov/libdev/libs/pldtools/index.html)

### Investment of funds

Because trustees act as custodians of public funds, they are subject to very tight restrictions on eligible investments. As the State Comptroller recommends:

*"The primary objectives of the library's investment activities should be, in priority order, 1) to conform to all applicable federal, state and other legal requirements (legal), 2) to adequately safeguard principal (safety), 3) to provide sufficient liquidity to meet all operating requirements (liquidity) and 4) to obtain a reasonable rate of return (yield.)"*

Under General Municipal Law and subsequent court rulings, all funds (including privately raised moneys) under the control of a municipal, school district, or special district library must be invested in the following limited number of financial vehicles:

- Time deposit accounts or certificates of deposit in commercial banks and trust companies located and authorized to do business in New York State;
- Obligations made by the United States of America or guaranteed by the United States of America, and obligations of the State of New York;
- Under very limited circumstances, obligations of municipalities and other municipal corporations.

Except for gifts given to the library as a true trust, even privately acquired funds are subject to these investment limitations. Under certain circumstances, and with the express permission of the State Comptroller, gifts of stock may be held until a fiscally appropriate time for sale.

Association libraries are not subject to General Municipal Law and therefore have more flexibility and discretion in their investments. However, it is strongly recommended that public funds under the management of an association library board be invested only as described above. Private funds should be subject to a sound investment policy. The board must always understand its accountability to all those who support the library, in whatever fashion.

### *Capital projects*

When the time comes for a major expansion or renovation public libraries generally seek public approval to borrow the necessary funds from a financial institution or to issue municipal bonds through an authorized agency such as a school district, Industrial Development Agency or the Dormitory Authority of the State of New York. Libraries are not authorized under state law to issue municipal obligations on their own. Such financing is quite complex. Professional legal and financial assistance is strongly recommended.

### *Fundraising*

Association library boards, as private not-for-profit corporations, are permitted to engage in fundraising activities for the benefit of the library in their capacity as board members.

Public library boards generally take care to separate private fundraising efforts (such as direct personal solicitations as opposed to seeking grants from foundations or government agencies) from normal library operations and board activities since there are restrictions on the appropriate use of public funds. Many boards entrust the fundraising role to Library Friends and/or Foundations. Of course, trustees are private citizens too and may certainly work to raise money for the library as individuals. For further discussion on this topic please refer to the chapter on Library Friends and Foundations later in this Handbook.

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## PLANNING AND EVALUATION

Every public library in New York is required to have a written long-range plan of service. There are many excellent publications on planning. Some, such as the Public Library Association's *Planning for Results* series are specifically library oriented ([www.alastore.ala.org/detail.aspx?ID=61](http://www.alastore.ala.org/detail.aspx?ID=61)). Others, such as those developed by the *Peter F. Drucker Foundation* ([www.pfdf.org](http://www.pfdf.org)), are more generic but still extremely useful. A useful illustration of a library long range plan may be found at: [www.potsdamlibrary.org/Policies/longrange.shtm](http://www.potsdamlibrary.org/Policies/longrange.shtm). Check with your library system for other examples and review the helpful guidelines available from the N.Y.S. Division of Library Development at: [www.nysl.nysed.gov/libdev/helpful.htm#LRP](http://www.nysl.nysed.gov/libdev/helpful.htm#LRP).

The conscious decision to engage in planning is far more important than the planning tool used. Though planning may be required, it is simply a smart way to pull together all the decisions about budgeting, personnel, capital improvements, library services and community involvement.

Every plan has the same general components. The *mission* is a short, carefully crafted statement that tells the world why the library exists. Many libraries capture their mission in a single sentence. *Goals* are broad statements of program intent that support the mission statement. They are measurable only to the extent that they provide targets toward which to strive. *Objectives* are specific, measurable, tasks in support of a goal, usually stated in terms of outcomes. *Action steps* or *activities* are the specific assignments that must be completed in order to reach an objective. Finally, every plan should come full circle with an *evaluation* process.

Every trustee must be prepared to ask difficult, searching questions about the library's goals and objectives, programs and services and about the board itself. What are the objectives of this library? Have they been accomplished? Are they appropriate? Is the community well served? How do we define good service? Does the director manage the library properly? Is the board functioning effectively? What do we want our library to look like in the future?

Evaluation looks at the past. It is an assessment and a measurement of activities that have already occurred and it provides a foundation for thinking about the future. Objective measurement, supplemented by subjective, anecdotal information, can help the board decide if its objectives have been met. However, it is important to measure the right things, and conversely, it is a waste of time to measure things that don't matter. For example, library circulation is a traditional measure of library use but it is only one small part of the activity in a library.

What other things could be measured to get an accurate picture of the way the public uses the library? These might include in-house use of materials, Internet sessions, number of database searches, program attendance, participation in the library blog; whatever is appropriate for the service package a particular library offers its community. To fully comply with New York State Minimum Public Library Standards the board must periodically seek community input in the development and evaluation of its service program. This can be integrated into the library's long range planning process in numerous ways. The director or library system will be able to offer strategies for effectively utilizing community surveys. An example community survey can be found at: [www.uhls.org/uhrs/communityanalysis](http://www.uhls.org/uhrs/communityanalysis).

Long range planning prepares for the future. **Strategic** planning is based on the premise that change is necessary to survive and thrive in the future. Strategic planning answers the question, "What do we have to do now in order to improve our ability to operate five years in the future?" If the planning time frame is shorter it involves **operational** planning. Operational planning focuses on the improvement of things the library already does and is primarily concerned with the allocation of resources.

Creating a plan involves answering questions:

- What does the community need?
- What is to be done?
- Who is responsible and who should be involved?
- How will it be done?
- What is the timetable?
- What resources (people, money, materials, etc.) are available?
- Who are the stakeholders in the process?
- What is to be reported to whom, and when?
- What options are available?
- How is success measured?

Comparing the library to others with similar budgets or service populations can be a useful planning activity. The Division of Library Development makes available a compilation of financial and service statistics through its web site at: [www.nysl.nysed.gov/libdev/libs/index.html#Statistics](http://www.nysl.nysed.gov/libdev/libs/index.html#Statistics). Here you can find recent and historical data for all public libraries in the nation.

Significant projects may exceed the board's collective skill and experience, making it advisable to call on the library system or outside consultants for assistance.

## ACCESS TO LIBRARY SERVICES

*“Barriers to employment, transportation, public accommodations, public services and telecommunications have imposed staggering economic and social costs on American society and have undermined our well-intentioned efforts to educate, rehabilitate, and employ individuals with disabilities.” The Americans with Disabilities Act: Questions and Answers, 2006.*

The concept of free and open access to libraries is fundamental to their very existence. Such access takes many forms: convenient hours, a well designed facility and website and friendly, helpful staff. The role of the public library is to be a valuable resource to everyone in the community. Unfortunately, library employment opportunities, as well as library programs and services, are not always fully available to people with disabilities. Therefore, it is imperative to include an awareness of the needs of individuals with disabilities in all library planning.

State Education Commissioner’s Regulations require the library board to maintain a facility which meets community needs. This includes the needs of people with disabilities. Therefore, library trustees should be familiar with disability-related legislation, such as the Americans with Disabilities Act [www.ada.gov](http://www.ada.gov), the Americans with Disabilities Act Accessibility Guidelines (ADAAG), the Rehabilitation Act of 1973, (Sections 504 and 508) [www.disability.gov](http://www.disability.gov) and the Architectural Barriers Act [www.access-board.gov](http://www.access-board.gov).

Many of the laws, regulations and provisions overlap, but ultimately provide legal guidance in creating and maintaining accessible library services, programs and employment opportunities.

In addition to familiarity with disability-related legislation, public library trustees should be educated about assistive technologies, disability awareness training, alternative library services and resources, and the library’s outreach efforts to disability-related service providers, organizations and institutions in the community.

Accessibility applies to every aspect of library service. If a public service environment is not fully accessible, it cannot play its unique role in the support and preservation of democracy or fulfill its true community purpose.

## FACILITIES

Commissioner's Regulation 90.2 (a) (8) requires the board to *"maintain a facility which meets community needs."* While various formulas exist for determining the appropriate size of a library, the final determination of adequacy rests in the hands of the trustees. Square footage is only one factor in deciding whether a library meets the community's expectations. Location, internal arrangement, accessibility for all patrons, environmental quality, and intangibles such as ambiance, all contribute to the overall adequacy of a library building.

According to the guidelines developed by the Division of Library Development: *"Various publications provide helpful "rules of thumb" or "standards" for the number of seats, shelving, or meeting room facilities needed by communities of varying sizes. ....*

*Building experts would first ask the library director and board, "What are the goals and service plans of the Library?" General services' planning precedes facilities planning because it defines the users, services, and programs of the library. Once these plans are defined, the board, director and others can better decide on space needs, layout, and technical specifications...."*

[www.nysl.nysed.gov/libdev/helpful.htm#MFC](http://www.nysl.nysed.gov/libdev/helpful.htm#MFC)

Proper maintenance of the existing library is essential if the board is to fulfill its responsibilities to the community. The library should be a pleasant and safe place to work and visit. It must be accessible to everyone in the community. This requires more than just a wheelchair ramp and ADA compliant bathrooms. Every aspect of the library's service program should be evaluated to determine if it is accessible to persons with physical or mental disabilities. This includes a well-trained staff sensitive to the needs of all library patrons. Safety and security are also paramount in any public facility and libraries are no exception. Every effort must be made to create a safe and secure environment for the staff and public.

Sometimes the library can only meet community needs by adding to, or reconstructing existing space, or building an entirely new facility. This will lead to a complex and extensive planning process that may require the board to seek the services of a consultant or library system staff. Construction plans should always be developed in the context of the library's mission and plan of service. The board should review service needs, explore alternatives, estimate costs and set priorities;

all before deciding on a specific building plan to pursue. Community involvement in the planning process is crucial to its success.

Trustees must understand that the planning and implementation process for library construction will require a major effort on the part of the board, the library director and the staff; including many meetings, reports, and reviews. Travel to inspect other library buildings should be part of this process. Planning will take many months and delays should be expected. Nonetheless, in spite of all the hard work, a building program may not meet the approval of the community and necessary funding may not be readily available. In such cases the board must stay focused on the need to provide quality library service to the community and appropriate facilities for the library.

Renovation or reconstruction of existing space carries an additional set of challenges. The library may have to move to temporary facilities, which means relocating staff and materials. If the library remains open for business during construction, trustees should be sensitive to the added stress this will place on the director, staff and the library's patrons. Temporary service policies or exceptions to existing policies may be required. Excellent communication and an unusual degree of flexibility will be essential.

The Americans with Disabilities Act (ADA) prescribes specific building standards to ensure access for persons with disabilities. All new construction and substantial renovations must comply with ADA requirements. Libraries with inaccessible (or even partially inaccessible) buildings must have a written plan describing how their programs and services will be delivered to customers who cannot gain access.

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## **RISK MANAGEMENT**

The public library is exposed to a wide variety of risks in the conduct of its business. These include natural disasters such as fires and storms, patron accidents of various kinds, negligence, willful misconduct and other criminal activity. It is the board's responsibility to reduce risk to a manageable level so that the service program or even the survival of the library is not threatened. A poorly managed incident, a lawsuit or a judgment against the library can have consequences far beyond the immediate impact of the event.

Library boards and trustees can be held liable for infractions of laws and regulations by the library, although considerable immunity is granted as long as the board is acting in good faith in carrying out its responsibilities. Not for Profit Corporation Law and Public Officers Law afford individual trustees some degree of immunity from liability but that does not prevent library boards and individual trustees from being sued for any reason, or seemingly for no reason at all.

The best way to reduce risk is to be sure that the library is operating in a safe, legal manner according to carefully written policies and thoughtfully implemented procedures. It is always better to prevent harm than to rely on insurance to pay for a loss.

Risk management has several components. The most obvious is insurance. The library must carry property and general liability insurance appropriate to the size and scope of its operations. Errors and omissions insurance, also known as directors and officers (D&O) liability insurance, insures the library and the board against real or perceived errors of judgment. Such insurance will usually cover legal costs and judgments against the library. Workers' compensation insurance is required by law. Other coverage, such as flood insurance, may be appropriate in some situations. The library's entire insurance package should be reviewed thoroughly and regularly for cost and adequacy of coverage.

Careful record keeping and inventory management and valuation are important in the event of a loss. In addition to the traditional inventory list, a video of the library and its contents can be useful, especially if the library houses artwork or other items whose value might be questioned. Inventories are also required in order to comply with generally accepted accounting procedures for public entities.

Another critical component of risk management involves attention to personal safety, physical facilities and loss prevention strategies. Does the library have a viable security system and a fire suppression system? Has the heating and air conditioning system been inspected and properly maintained? Is the building maintained free of safety hazards? Is the staff familiar with emergency procedures? Are security procedures in place? Is there a disaster plan for valuable papers, critical materials and data?

Remember that risk management is a continuous process involving the Library Board, administration, staff and insurance professional.

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## INFORMATION TECHNOLOGY

Computer and information technologies continue to transform library service and the escalating change those technologies have brought shows no sign of abating. Indeed, to remain relevant, the library must assume a leadership role in the utilization of technology within its community. Technology is not an end unto itself. Its wise use, along with a professional and well-trained staff, brings the best tenets of library service to everyone, in every corner of the state. Electronic resources extend, supplement and, in some cases, replace traditional print materials. Today the smallest and most remote rural library has much the same access to the same vast collection of library resources, databases and other information as the large urban library.

In practical terms, library automation is essential. Access to regional and statewide information resources requires robust technology and a knowledgeable staff. Meeting public expectations requires a library to be on the cutting edge with up to date hardware, software and technologically savvy services.

Boards must budget for equipment replacement on a regular basis. The practical lifespan of a computer workstation is about three years and funds must be available to replace it when it becomes obsolete. Finally, directors must select and library boards must hire staff willing and capable of learning and teaching these new information tools to their patrons.

The provision of electronic services presents library boards with a number of policy decisions. Internet access, in particular, raises issues of privacy, intellectual freedom and censorship. Libraries must be ready to address the concerns raised by members of their community, as well as the challenges presented by laws such as the USA PATRIOT Act and the Children's Internet Protection Act (CIPA).

A formal technology plan is required of all libraries applying for telecommunications discounts under the federal e-rate program. In today's world every library needs a realistic technology plan, budget and evaluation process if they are to meet the expectations of their users. Useful guidance is available at <http://suffolklibrarysystem.org/index.php/About-SCLS/technology-plan-draft.html>

Lastly, all public libraries are required to adopt an Internet use policy and comply with state and federal laws regarding privacy issues. As previously mentioned, clearly written, understandable and enforceable policies, grounded in the library's overall philosophy of service, are essential.

## PUBLIC RELATIONS AND ADVOCACY

As the citizen control over the public library, the board of trustees has a responsibility for telling the library's story to the taxpayers, donors and funding bodies that support it. Even the best programs and services are of limited value if people don't know about them. Conversely, people are more likely to support programs they understand, value and use.

There are numerous ways to reach the public. One essential tool is a web site that broadcasts the library's message and provides access to library services twenty-four hours a day. Many libraries now maintain a presence on *MySpace* or *Facebook* and keep their patrons up to date with library blogs and *Twitter* accounts. Some even maintain virtual libraries in virtual worlds like *Second Life*.

More traditional publicity avenues include newsletters, public service announcements and feature stories on radio, television and newspapers. Personal communication is always the most effective way to get the library's message across in a meaningful fashion. Trustees are leaders in the community and must be prepared to discuss the importance of the library at every opportunity.

Public relations also involve partnerships. Trustees should look for ways to form networks and coalitions of library advocates. Many other organizations, such as the school district, service clubs, the chamber of commerce and local social service agencies have a vested interest in a strong and vital community library.

A critical aspect of public relations is legislative advocacy. Elected officials want to be invited to public events at the library and they should be on the mailing list for all library publications. Dynamic boards and trustees write, call and visit their elected officials frequently. Trustees are in a unique position to be effective in the governmental arena because they are citizen volunteers with no direct financial stake in library funding decisions. Trustees keep the library's financial needs in front of elected officials. Of course there are many other non-financial issues at the local, state, and federal level that affect libraries. Zoning ordinances, labor law, copyright, telecommunications rules, environmental regulations, censorship and many other issues can have an impact on libraries and trustees must ensure that the library's interests are well represented.

Many trustees support library lobbying through their active membership in the Library Trustees Association of New York State [www.librarytrustees.org](http://www.librarytrustees.org), NYLA [www.nyla.org](http://www.nyla.org) and New Yorkers for Better Libraries PAC <http://nylibs-pac.net>.

## LIBRARY FRIENDS AND FOUNDATIONS

Many libraries form a *Friends of the Library* organization to help achieve a variety of short and long-term goals. The role of a Friends group is distinct from, but related to, the role of a board of trustees. The members of a *Friends of the Library* are civic-minded people who know that quality library service is important to the life of a community and who are willing to volunteer their time and talents to help the library succeed.

*Friends of the Library* groups are independent organizations, separate and distinct from the library and the library board. While their purpose is support of the library, Friends have a separate corporate existence and can even be chartered by the New York State Board of Regents or Department of State. They should have separate federal and state tax exemptions and their funds should not be mingled with the library's operating funds. Depending on local needs, *Friends of the Library* do many things such as:

- Create public support and awareness for the library and its programs;
- Raise money for capital campaigns or for direct gifts for items not in the library's own budget;
- Work for library legislation or increased appropriations;
- Sponsor and support library programs and events;
- Volunteer to work in the library or on specific tasks and projects.

The independent corporate and financial status of *Friends of the Library* can be especially helpful in fundraising and budget vote campaigns. A library cannot use public funds to influence the outcome of an election, but a Friends group has no such limitation. The Friends can pay for postage, mailings, and other publicity designed to create a favorable outcome in a library's funding vote.

*Friends of the Library* can be valuable members of the library team when they are organized carefully and when their purpose is clearly defined and structured. Trustees provide citizen control and governance of the library as required by law. The library director manages the operations of the library. The *Friends of the Library* provides an opportunity for interested citizens to assist in developing the library in ways identified in consultation with the board and the director. It is essential that all parties in this arrangement understand the responsibilities and the limits of their roles. Frequent, clear, open communication about needs and expectations is the key to a successful partnership between the board, director and *Friends of the Library*.

Library boards can do a number of things to help and support a Friends group:

- Be certain that there is a written policy statement about the Friends, their role and their relationship to the board of trustees;
- Work with the Friends and the library director to be sure that Friends have clear and appropriate assignments and that their talents are being used well;
- Meet with the Friends board formally (perhaps semi-annually) to help the Friends plan and define their goals;
- Appoint a library trustee to act as liaison to the Friends board;
- Be open and welcoming to suggestions, questions and communications from the Friends;
- Have an annual joint meeting with the Friends to review the library's plan, budget and the Friends' role for the coming year.

More information on library Friends groups is available through the reorganized Association of Library Trustees, Advocates, Friends and Foundations (ALTAFF) [www.ala.org/ala/mgrps/divs/altaff/index.cfm](http://www.ala.org/ala/mgrps/divs/altaff/index.cfm) and the Friends of Libraries USA (FOLUSA) [www.folusa.org](http://www.folusa.org). Information on New York State Empire Friends is available at: [www.nyla.org/index.php?page\\_id=57](http://www.nyla.org/index.php?page_id=57).

### Library Foundations

Many of the state's largest libraries and a few smaller libraries as well, also utilize a library foundation to attract support. While the Friends may handle the "day to day" fundraising typical of libraries, foundations are generally established to solicit major contributions for capital projects or ongoing programs beyond the scope of normal library activities. Foundations tend to be more sophisticated in their legal organization due to the number and variety of tax laws and regulations to which they are subject.

For these reasons libraries are advised to thoroughly research the pros and cons of establishing a foundation and to seek advice from similar libraries that have done so before embarking on such an endeavor.

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## TRUSTEE EDUCATION

Trustees must learn and grow during their tenure on the board, developing an ever-deepening awareness of the affairs of their own library and an appreciation and understanding of other libraries and library organizations. The public library is a multifaceted organization functioning in a complex world.

The first critical step in the learning process is the orientation of a new trustee. However, education cannot cease once a person has reached the board table. Board meetings can be an excellent forum for continuing education. Many boards set aside time at every meeting for a presentation or discussion of some aspect of the library's work or programs. Such a session might include a training video, an overview of a staff member's work responsibilities, a presentation by a representative of the public library system or simply a few minutes of philosophical discussion and reflection on the role and purpose of the library. The importance of board self-assessment cannot be overstated.

There is an extensive body of literature on trusteeship and board development, as well as public library operation and management. A small sampling is included in the bibliography. In addition to statewide organizations such as the Library Trustees Association of New York State and NYLA, many American Library Association [www.ALA.org](http://www.ALA.org) divisions such as the Public Library Association and Library Leadership and Management Association and the Association for Library Trustees, Advocates and Friends offer extensive resources as well.

Outside the library field there are many organizations concerned with non-profit administration and management. *BoardSource*, [www.boardsource.org](http://www.boardsource.org) and *Leader to Leader*, [www.pfdf.org](http://www.pfdf.org), are especially helpful and complement the offerings of the library organizations. Many of these publications are listed in the bibliography and can be obtained through the library or public library system. Trustees should also ask the library director to let them know about articles or books in all fields that may be helpful to an understanding of the library's affairs.

Workshops and conferences provide an excellent opportunity for continuing education both from the program content itself and from the opportunity to meet and share experiences and ideas with other trustees. The Library Trustees Association of New York State sponsors an Annual Trustee Institute and most public library systems offer workshops and seminars specifically aimed at trustees. The annual NYLA Conference offers an excellent opportunity to learn about new developments, programs, and activities across the state. The Library Trustees Association of New York State always offers a special package of trustee-oriented programs within the NYLA conference. On a national level, the Association for Library Trustees, Advocates and Friends offers a program track for trustees at the annual ALA Conference as well.

Financial constraints or the perception of public disapproval make some boards reluctant to approve dues, registration fees, and travel expenses for continuing education. However, these expenses are essential to keep libraries alive and vibrant through a better-informed and more effective board and staff. Every library should have a written policy regarding staff and board training and budget sufficient funds each year to assure that both the library board and the library staff can take full advantage of educational opportunities and remain aware of new trends and best practices in the library world.

Effective and knowledgeable trustees undergo a constant process of growth and learning. Attending board meetings and voting on current questions is not enough. Continuing education, for trustees as well as staff, represents an important investment in the library's future.

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## **INTELLECTUAL FREEDOM, CENSORSHIP AND PRIVACY**

Public libraries play a unique role in the support and preservation of democracy by providing open, non-judgmental institutions where individuals can pursue their own interests. To the extent that their budgets permit, libraries attempt to collect materials and information that represent varying points of view on controversial topics. But as the repositories of our culture, both the good and the bad, libraries sometimes contain information or ideas that are controversial or threatening to some people. Expressions of disapproval, dismay and even outrage over library materials are not uncommon, even though public libraries explicitly avoid doctrinal positions or the espousal of a particular point of view. As difficult as it may be in some cases, trustees must be very careful to separate their personal opinions from the philosophy of the library as an institution.

The first amendment to the United States Constitution guarantees freedom of speech and the courts have long held that this guarantee extends to the right to receive information freely. Free access to information is the cornerstone of the American public library and trustees must ensure that their libraries have policies and procedures that prevent any form of censorship. Every person has the right to read, or not to read, any book; to view or listen to any media. The responsibility for children's reading and viewing falls to the parents, not the library.

The library board and director should prepare comprehensive collection development and public service policies to guide the selection of materials. This policy should reflect the principles of the American Library Association's Library Bill of Rights and Freedom to Read Statement.

Library access to the Internet raises a variety of challenging intellectual freedom issues. While the library has made a conscious choice to acquire the items in its collection, no such decision has been made about the resources on the Internet. The library merely provides an access point to millions of databases, Web pages, chat rooms and other resources without making a judgment about the reliability, accuracy or appropriateness of any of them.

The Internet is the broadest information resource available and it belongs in every public library. However, the Internet also contains material that is illegal, material that is illegal for children but not for adults, and material that may offend community standards. Some very complex first amendment questions are at stake in public libraries' use and provision of Internet access.

It is essential that every library adopt a carefully considered and judiciously written policy statement tailored to the library's own community. Such a policy is especially critical in view of recent legislation such as the USA PATRIOT Act (*Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism*) and CIPA (*Children's Internet Protection Act*). This statement should include:

- The purpose of library Internet access;
- A disclaimer about the nature of the information on the Internet;
- Prohibitions against engaging in illegal activities or accessing illegal materials;
- Access allowances and restrictions, such as time limits, sign-ups, etc.;
- A statement of parental responsibility for children and children's access;
- Explanation of appropriate use;
- Penalties and consequences for misuse;
- Explanation of privacy issues;
- An explanation of filtering software, whether or not the library uses it.

Staff procedures should forbid any comment on patron choices and guarantee the privacy of patron information requests. The state's **Library Records Law** (CPLR Sec. 4509) prohibits access to any information that links the name of a library user to any library material, information request, or any other use of the library, unless the library is presented with a subpoena or search warrant from an authorized legal entity. Additional sources on privacy issues can be found through ALA at: [www.ala.org/ala/aboutala/offices/oif/ifissues/privacyconfidentiality.cfm](http://www.ala.org/ala/aboutala/offices/oif/ifissues/privacyconfidentiality.cfm)

A procedure to handle complaints should be part of the library's policies. Trustees must recognize and acknowledge a citizen's right to question any board action and every trustee must be willing to listen to challenges and explain the library's policies and the reasons for them. The board should project an open, concerned image without accommodating censorship demands. Responses to challenges must be rooted in the library's policies, regardless of the issue. No person or group should dictate what materials are suitable for others in the public library, nor should limitations be imposed based on the format of materials.

Censorship challenges can be difficult, but they are an inevitable consequence of the commitment to provide open and free access to all of the world's information resources. If a censorship issue arises, the library can obtain additional help and advice from the American Library Association's Intellectual Freedom Office and the New York Library Association.

## **SELECTION OF TRUSTEES - ASSOCIATION LIBRARIES**

While the trustees of all municipal, school district and special district libraries, as well as a growing number of association libraries, are elected by the public or appointed by an elected municipal body, most association libraries in New York still appoint their own board members. Therefore an important part of every association library trustee's job is to be on the lookout for potential new board members who can help keep the library and the board strong and move it confidently into the future. A board should seek out and encourage qualified candidates who can complement board strengths or fill a gap in the current board's expertise. It is essential that board composition reflect the ethnic, racial, and cultural diversity of the community. A clear, generic trustee job description should always be available for interested persons and the news media.

When a potential trustee has been identified, he or she can be invited to board meetings to learn more about the library's governance. It is also important to bring such people to the attention of appointing authorities if the library is dependent on such for new trustees.

What are the qualifications for a library trustee? The most important qualification is a strong and genuine belief in public libraries and their mission in the community as centers for information, recreation, culture and lifelong education. Good library trustees are also good library patrons. A candidate must also be willing to devote appropriate time and effort to carrying out the duties and responsibilities of trusteeship. These duties will include regular attendance at board meetings, committee service and activities, visibility in the community on behalf of the library, and learning about the library and the social, legal and political context in which it exists.

As public libraries move toward an uncertain future dominated by rapid change, the need for other board skills is also becoming apparent. The board should include members who are conversant with information technology, entrepreneurship, finance and public relations. These areas of expertise, which may have been considered the domain of the library staff in the past, are keys to ensuring a healthy future for the library.



**APPENDICES**

Types of Libraries -- a Comparison.....2

Library Bill of Rights.....4

Sample By-Laws.....5

Recommendations of the Regents Commission.....9

Public Library Glossary.....10

Selected Bibliography/Web sites.....16

Ethics Statement for Public Library Trustees .....19

Map of Public Library Systems in New York State .....20

# Types of Libraries: A Comparison

	ASSOCIATION LIBRARIES	PUBLIC LIBRARIES		
		Municipal Public Library	School District Public Library	Special District Public Library
<b>How Established</b>	By vote of association members or as trustees operating under a will or deed of trust.	By vote of county, city, town or village board; or by petition and referendum.	By vote of school district voters.	By special act of State legislature and vote of special district voters.*
<b>Charter</b>	Regents incorporate by charter.	Regents incorporate by charter.	Regents incorporate by charter.	Regents incorporate by charter.
<b>Registration</b>	Education Department registers. Must meet minimum standards in order to receive public funds.	Education Department registers. Must meet minimum standards in order to receive public funds.	Education Department registers. Must meet minimum standards in order to receive public funds.	Education Department registers. Must meet minimum standards in order to receive public funds.
<b>Tax Funds</b>	May receive appropriation from units of government. Also tax levy by vote of municipal or school district voters. Library should sign contract with appropriating unit. May petition municipal and/or school district tax payers for funds.	Budget approved by county, city, town, or village board. Also tax levy by vote of municipal or school district voters. May petition municipal and/or school district tax payers for funds.	Budget approved by school district voters. May also petition for a tax levy from municipalities.	Budget approved by district voters. May also petition for a tax levy from municipalities, unless enactment legislation specifies otherwise.
<b>Bonding Authority</b>	Not permitted. Requires a special act of legislation through Dormitory Authority of the State of New York (DASNY)	Municipal government may bond if it owns the library building.	School district may bond if it owns the library building.	A municipality may bond on behalf of district if legislation allows.*

	<b>ASSOCIATION LIBRARIES</b>	<b>Municipal Public Library</b>	<b>School District Public Library</b>	<b>Special District Public Library</b>
<b>Board of Trustees</b>	<p>Number: 5-25. Elected by association members. Term of office: set by charter.</p> <p>Responsible to association membership and to Regents. Residential requirements may be established in bylaws.</p>	<p>Number: 5-15. Approved by municipal governing board; term of office: three or five years if established after 1921.** Responsible to municipal government, public, and Regents. Must be residents of municipality (except village library).</p>	<p>Number: 5-15. Elected by school district voters. Term of office: three or five years (if established after 1921).** Responsible to school district voters and Regents. Must be residents of school district</p>	<p>Number: determined by enabling legislation. Elected by residents of special district. Term of office: five years or as defined by legislation. Responsible to special district voters and Regents. Residency requirements determined by enabling legislation.</p>
<b>Community Involvement</b>	<p>Public can join association and may vote for trustees.</p>	<p>Public "owns" library; votes for elected officials who are sympathetic to library needs.</p>	<p>Public "owns" library and votes directly for trustees and budget..</p>	<p>Public "owns" library and votes directly for trustees and budget..</p>
<b>Retirement Benefits</b>	<p>May purchase retirement benefits from private vendor. Some may be in State Retirement System if specified in statute.</p>	<p>State Retirement System benefits through municipality..</p>	<p>State Retirement System benefits through school district or independently</p>	<p>State Retirement System benefits if library district opts to participate.</p>
<b>Civil Service</b>	<p>Employees not covered by Civil Service.</p>	<p>Employees subject to Civil Service Law</p>	<p>Employees subject to Civil Service Law.</p>	<p>Employees subject to Civil Service Law</p>

## 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.

- 1. 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.*
- 2. 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.*
- 3. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.*
- 4. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.*
- 5. A person's right to use a library should not be denied or abridged because of origin, age, background, or views.*
- 6. 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.



## SAMPLE BY-LAWS

The material below is presented for illustrative purposes only. Each library should adapt their By-Laws to suit their particular needs and circumstances. These By-Laws are based on a typical Association Library legal structure.

### MISSION STATEMENT

*(insert your Library's Mission Statement)*

The \_\_\_\_\_ Library exists to provide quality service to the residents of \_\_\_\_\_ in an open and non-judgmental environment with free access to library materials in a variety of formats.

### PREAMBLE

The Board of Trustees (hereinafter designated as the "Board") of The \_\_\_\_\_ Library, a corporation created under a charter granted under Section 253 of the New York State Education Law by the Board of Regents (or Secretary of State) of the State of New York, dated \_\_\_\_\_, shall be governed by the laws of New York State, the regulations of the Commissioner of Education and by the following by-laws.

### BY-LAWS

#### 1. NAME OF ORGANIZATION

- a. The name of the organization shall be the \_\_\_\_\_ Library

#### 2. PURPOSE

- a. The purpose of the organization is to provide superior library service to the residents, adults and children, of the communities of \_\_\_\_\_.

#### 3. FISCAL

- a. The fiscal year of the library shall be the \_\_\_\_\_ year.

#### 4. BOARD OF TRUSTEES

- a. The library shall be governed by a Board of Trustees. The Board shall consist of \_\_\_\_\_ members, elected for terms of \_\_\_\_\_ years each. *(insert any particular language regarding areas of representation or method of election)* Newly elected members will take office at the first meeting following the annual meeting.
- b. Eligibility for office shall be limited to adults residing or owning property within the geographical limits of the library district.
- c. Absence from three consecutive meetings shall constitute automatic dismissal from the Board unless the Board defers this dismissal by majority vote. The President shall inform the absent Board Member in writing that he/she is no longer on the Board. If dismissal is deferred by Board action the President shall inform the absent Board Member in writing the conditions of this deferral.

- d. No member shall serve for more than two consecutive three-year terms. (*insert local restrictions*)
- e. Any vacancy shall be filled by special election by the remaining members of the Board for the remainder of the term of that particular position. (*refer to charter for local provisions*)
- f. Each Trustee shall have one vote, irrespective of office held.
- g. A Trustee must be present at a meeting to have his/her vote counted.
- h. All actions of the Board shall be of the Board as a unit. No Board member shall act on behalf of the Board, on any matter, without prior approval of the Board. No Board member by virtue of his/her office shall exercise any administrative responsibility with respect to the library nor, as an individual, command the services of any library employee.

## 5. OFFICERS

- a. The officers of the Board shall be the President, Vice-President, Secretary and Treasurer, elected annually by the Board at the annual meeting. These officers shall serve for a period of one year or until their successors shall have been duly elected.
- b. The duties of such officers shall be as follows:
  - i. The **President** shall preside at all meetings of the Board, authorize calls for any special meetings, appoint all committees, execute all documents authorized by the Board, serve as an ex-officio voting member of all committees, and generally perform all duties associated with that office.
  - ii. The **Vice President**, in the event of the absence or disability of the President, or of a vacancy in that office, shall assume and perform the duties and functions of the President.
  - iii. The **Secretary** shall keep a true and accurate record of all meetings of the Board, shall issue notice of all regular and special meetings, and shall perform such other duties as are generally associated with that office.
  - iv. The **Treasurer** (*School district libraries must appoint an independent Treasurer who is not a member of the Board*) shall be the disbursing officer of the Board and shall perform such duties as generally devolve upon the office. In the absence or inability of the Treasurer, his/her duties shall be performed by such other members of the Board as the Board may designate.

## 6. DIRECTOR

- a. The Board shall appoint a Director who shall be the executive officer of the policies of the Board and shall have charge of the administration of the library under the direction and review of the Board. The Director shall be 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 contained in the annual budget.

- b. The Director shall render and submit to the Board reports and recommendations of such policies and procedures, which, in the opinion of the Director, will improve efficiency and quality of library service. The Director shall attend all Board meetings except the portion of the meeting at which the director's appointment or salary is to be discussed or decided.

## **7. COMMITTEES**

- a. *A nominating committee shall be appointed by the President three months prior to the Annual Meeting who will present a slate of officers and names of candidates for new trustees. Additional nominations may be made from the floor.*
- b. Committees for specific purposes may be appointed by the President. Such committees shall serve until the completion of the work for which they were appointed.
- c. All committees shall make a progress report to the Board at each of its meetings.
- d. No committee will have other than advisory powers unless, by suitable action of the Board, it is granted specific power to act.
- e. The President shall be, ex officio, a member of all committees.

## **8. MEETINGS**

- a. Meetings shall be held each month, the date and hour to be set by the Board. Written notice of all meetings shall be mailed by the Secretary to each member at least five days before the meeting.
- b. A special meeting of the Board may be called at any time by the President or upon the request of three members for a specific purpose. No business may be transacted at such special meeting except the stated business.
- c. The Annual Meeting shall be held in \_\_\_\_\_ of each year. The business transacted at this meeting shall include the election of new trustees and new officers.
- d. The operating and financial reports for the previous year shall be presented at the regular meeting in January.
- e. The preliminary budget for the subsequent calendar year, required for submission to the \_\_\_\_\_ voters, shall be presented at the regular meeting in \_\_\_\_\_.
- f. The final budget for the subsequent calendar year shall be presented for approval at the regular meeting in \_\_\_\_\_.
- g. A simple majority of the existing Board shall constitute a quorum for the conducting of all business. If a quorum is not present at a regular meeting, the attending members may set a date for another meeting to be held within one week, and the presiding officer shall notify the absent members of this specially called meeting.
- h. The order of business for regular meetings shall include, but not be limited to, the following items which shall be covered in the sequence shown unless circumstances make an altered order more efficient:

- i. Roll call of members
- ii. Disposition of minutes of previous regular meeting and any intervening special meetings
- iii. Treasurer's report and action on warrants
- iv. Director's report
- v. Committee reports
- vi. Communications
- vii. Unfinished business
- viii. New business
- ix. Period for Public Expression
- x. Adjournment

**9. AMENDMENTS**

- a. Amendments to these By-Laws may be proposed at any regular meeting and shall be voted upon at the next regular meeting. Written notice of the proposed amendment or amendments shall be sent to all absent members at least ten days prior to the voting session. A simple majority of the Board shall be sufficient for adoption of an amendment.
- b. Any rule or resolution of the Board, whether contained in these By-Laws or otherwise, may be suspended temporarily in connection with business at hand, but such suspension, to be valid, may be taken only at a meeting at which two-thirds of the members of the Board shall be present and two-thirds of those present shall so approve.

**10. PROCEDURE**

- a. All procedures not specified herein shall be in accord with Robert's Rules of Order, Revised.

*Approved by The \_\_\_\_\_ Library Board of Trustees*

*Dated:\_\_\_\_\_.*

<p style="text-align: center;"><b>Summary of Recommendations of the Regents Commission on Library Services</b></p>
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**Recommendation 1.** Create NOVEL, the New York Online Virtual Electronic Library, to deliver high-quality, reliable digital information to all New Yorkers.

**Recommendation 2.** Ensure that all New York's students are information literate by providing strong school library media programs that include appropriately certified professional staff, adequate resources, and technology.

**Recommendation 3.** Promote the availability of local public library service to all New Yorkers and improve local support for public libraries through the formation of Public Library Districts.

**Recommendation 4.** Promote equitable library services for all New Yorkers through a need-based formula to reduce disparities in public library funding, and create NY EXCELS to promote service excellence in all types of libraries and library systems through enabling and incentive aid.

**Recommendation 5.** Provide support for public library construction, expansion, and renovation to ensure that New York's libraries are accessible to all library users and can accommodate advances in technology.

**Recommendation 6.** Improve the capacity of New York's urban public libraries to meet the unique needs of diverse library users in underserved, densely populated communities.

**Recommendation 7.** Strengthen the ability of New York's libraries to help library users acquire basic English literacy, information literacy, and computer literacy skills in their communities.

**Recommendation 8.** Enhance access to the specialized resources held by New York's academic, special, and research libraries to improve educational achievement, economic development, and health care for all New Yorkers.

**Recommendation 9.** Support and enhance a highly skilled library workforce to meet the information needs of New Yorkers.

**Recommendation 10.** Provide leadership for change by strengthening the expertise and accountability of the New York State Library and by creating a statewide advocacy coalition.

July 14, 2000

## Public Library Glossary

This glossary presents words and acronyms commonly used in public libraries in New York State.

**AACR2 (Anglo-American Cataloging Rules, 2<sup>nd</sup> edition)** – Standardized rules for cataloging library materials. A major revision is underway known as *Resource Description and Access* (RDA) which will eventually supersede AACR2.

**ADA (Americans with Disabilities Act)** - The Americans with Disabilities Act of 1990 (ADA), considered to be the most comprehensive civil rights legislation since the Civil Rights Act of 1964, prohibits discrimination on the basis of disability in employment, state and local government services, public accommodations, commercial facilities, transportation and telecommunications

**ALA** - American Library Association.

**ALTAFF** - Association for Library Trustees, Advocates Friends and Foundations.

**Authority Control** - Authority control is a general term for the process of controlling the relationship between various entries in a catalog. There are two main elements to authority control. The first is making sure that names and subjects are always entered the same way. The second element is making sure that 'see' and 'see also' references always lead the patron to other materials.

**Bibliographic Utility** - A bibliographic utility is an online cataloging system. These systems provide access to MARC records from the Library of Congress and MARC records contributed by other users of the utility. OCLC is the largest such utility.

**Broadband** – A general term referring to high speed communication regardless of the medium (fiber optic, wire, cable or wireless) utilized.

**Capital Funds** - Funds for the acquisition of, or addition to, fixed assets such as buildings or major equipment. Often kept separate from annual *operating* funds.

**Cataloging** - The process of describing an item in a library collection and assigning it a classification (call) number.

**Charter** - The document of incorporation granted to a public library by the New York State Board of Regents.

**CIPA (Children’s Internet Protection Act)** - A federal law governing Internet access in schools and libraries. Compliance with CIPA is mandatory for eligibility for most e-rate subsidies and LSTA funding.

**Circulation** - The process of lending library materials.

**DLD (Division of Library Development)** - DLD is the division of the NYS Education Department responsible for the oversight of library funding and compliance with State Regulations.

**e-Book** - An e-Book is the electronic version of a print book.

**EDL (Electronic Doorway Library Program)** - Now referred to as a “NOVEL Ready Library Services” as a part of the statewide NOVELny Program.

**Electronic resource management (ERM)** - A means by which libraries keep track of information about internet-based or other electronic resources such as journals, databases and books, including licensing details and statistics.

**e-rate** - e-rate is the federal program that provides reimbursements to libraries and schools for investment in and ongoing costs of communications.

**FOLUSA (Friends of Libraries USA)** - Now merged with other ALA divisions to form ALTAFF.

**FRBR - Functional Requirement for Bibliographic Records** - a conceptual model for the aggregation and display of bibliographic records. The use of FRBR makes it easier for patrons to identify the material format they want.

**Free Direct Access** - The ability to borrow library materials in person from a public library outside your community.

**The Gates Library Initiatives (GLI)** - The New York State partnership with the Bill and Melinda Gates Foundation for the purpose of making computer and Internet technology more available to those who have no other means of access.

**ILL (Interlibrary Loan)** - Interlibrary Loan is when one library lends materials to another library for its patron's use.

**IMLS (Institute of Museum and Library Services)** - An independent federal grant-making agency dedicated to creating and sustaining a nation of learners by helping libraries and museums serve their communities.

**Integrated Library System (ILS)** - Integrated library (automation) systems provide libraries with a variety of integrated computerized functions – Cataloging, Circulation, OPAC, WebOPAC, Acquisitions, Serials Control and Electronic Resource Management.

**ISP (Internet Service Provider)** - An institution that provides access to the Internet in some form.

**LAN (Local Area Network)** - A network, usually running in one building that connects multiple computers to a server computer.

**LC - Library of Congress** - The national library of the United States.

**LBPH (Library for the Blind and Physically Handicapped)** - LBPH is a federal program and a part of the Library of Congress, that provides recorded books for the blind and those with physical disabilities.

**Library Trustees Association of New York State** - New York's statewide association for library boards and trustees. (formerly NYSALB)

**LLSA (Local Library Services Aid)** - The New York State aid program for local public libraries.

**LSTA (Library Services and Technology Act)** - The largest federal library aid program for libraries. Funds are used to support state services and are awarded to libraries and library systems on a competitive basis.

**MARC (MACHine Readable Cataloging)** - MARC is a format for storing the bibliographic description of a book, serial, video, etc. on a computer. The MARC format is an international standard used by most libraries and library computer software vendors.



**New Century Libraries** - The Regents' endorsed legislative initiative to enhance library services statewide.

**NOVELNY (New York Online Virtual Electronic Library)** - A statewide program to improve public access to electronic resources.

**NYLA (New York Library Association)** - New York's statewide library association.

**NYSALB** - Now known as Library Trustees Association of New York State.

**NYALS** - New York Association of All Library Systems (public, school and 3Rs).

**NYLINE** - New York's Libraries Information Network listserv.

**Nylink** - Nylink is a nonprofit membership organization of all types of libraries and cultural heritage organizations that supports access to cost effective resources for its members.

**NYSL** - New York State Library.

**NY3Rs Association** - The state organization for the Reference and Research Library Resources Councils (3Rs), dedicated to promote cooperation and development among the state's academic and special libraries.

**OCLC** - OCLC is a bibliographic utility used by nearly 27,000 libraries, archives and museums in 86 countries.

**OPAC (Online Public Access Catalog)** - A computerized catalog, which can be searched, edited and updated online. Many OPACS are now simply one module of an integrated library system and are available in web based format (WebOPAC).

**PLA (Public Library Association)** - A division of the American Library Association.

**PLS** - Public Library System.

**Provisional Charter** - The initial incorporation document granted to a public library by the Board of Regents.

**PULISDO (Public Library System Directors Organization)** - The statewide association of Public Library System Directors.

**RDA (Resource Description and Access)** - A set of cataloging rules currently in development to replace AACR2. RDA uses FRBR practices.

**Regents Advisory Council (RAC)** - A standing advisory committee appointed by the Regents to review and advocate for library issues.

**Regents Commission on Library Services** - The Regents Commission on Library Services (RCOLS) was formed to recommend a vision for library services in the 21st century and a plan for ensuring the greatest access to information for all New Yorkers. Established in June 1998, the Commission's final report was presented in July 2000.

**Registration** - The process by which libraries demonstrate compliance with CR 90.2 (Minimum Standards). A library must maintain its registration to collect public funds.

**SED (State Education Department)** - The state agency responsible for educational services, including libraries.

**Schools and Libraries Program** – part of the Universal Service Fund (e-rate); the Program makes discounts available to eligible schools and libraries for telecommunication services, Internet access, and internal connections.

**SLS (School Library Systems)** – Similar to public library cooperatives, these organizations exist to promote resource sharing and library development in school libraries.

**SLSA (School Library Systems Association)** - The statewide organization for School Library Systems.

**TDD/TTY** - Telecommunications devices for the hearing impaired.

**Union Catalog / County Catalog** - Public library systems are mandated by the state to provide a "locator file" of the book holdings of the public libraries in their service area.

**Unserved Area** - Refers to regions of the state without chartered public library service.

**USA PATRIOT ACT (PATRIOT ACT)** - Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act. Federal legislation that, among many other provisions, governs access to library records in certain circumstances by law enforcement agencies.

**Web2.0** - Interactive web based applications and sites that encourage users to create and add content to them.

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## Useful Web Sites

Trustees are advised to become thoroughly familiar with their own library's web site and the web site of their regional library system. A few other sites of interest include the following:

*American Library Association:* [www.ala.org](http://www.ala.org)

*Association for Library Trustee, Advocates, Friends and Foundations:*

<http://www.ala.org/ala/mgrps/divs/altaff/index.cfm>

*Bill & Melinda Gates Foundation:*

<http://www.gatesfoundation.org/topics/Pages/libraries.aspx>

*BoardSource; National Center for Nonprofit Boards:* [www.ncnb.org](http://www.ncnb.org)

*Committee on Open Government:* [www.dos.state.ny.us/coog/Right\\_to\\_know.html](http://www.dos.state.ny.us/coog/Right_to_know.html)

*Creating Public Library Districts in New York State:*

[www.nysl.nysed.gov/libdev/libs/pldtools/guide/index.html](http://www.nysl.nysed.gov/libdev/libs/pldtools/guide/index.html)

*Dormitory Authority of the State of New York* [www.dasny.org](http://www.dasny.org)

*Leader to Leader; the Drucker Foundation:* [www.pfdf.org](http://www.pfdf.org)

*Library Trustees Association of New York State:* [www.librarytrustees.org](http://www.librarytrustees.org)

*Governmental Accounting Standards Board:* [www.gasb.org](http://www.gasb.org)

*Mid-Hudson Library System Trustee Training:*

<http://midhudson.org/trustee/main.htm>

*New York Library Association:* [www.nyla.org](http://www.nyla.org)

*New York State Education Department:* [www.nysed.gov](http://www.nysed.gov)

*New York State Library:* [www.nysl.nysed.gov](http://www.nysl.nysed.gov)

*New York State Division of Library Development:* [www.nysl.nysed.gov/libdev](http://www.nysl.nysed.gov/libdev)

*New York State Comptroller* [www.osc.state.ny.us](http://www.osc.state.ny.us)

*New York State Department of State* [www.dos.state.ny.us](http://www.dos.state.ny.us)

*New Yorkers for Better Libraries – PAC* [www.nylibs-pac.net](http://www.nylibs-pac.net)

## **Ethics Statement for Public Library Trustees**

- Trustees in the capacity of trust upon them shall observe ethical standards with absolute truth, integrity and honor.
- Trustees must avoid situations in which personal interests might be served or financial benefits gained at the expense of library users, colleagues, or the situation.
- It is incumbent upon any trustee to disqualify himself/herself immediately whenever the appearance or a conflict of interest exists.
- Trustees must distinguish clearly in their actions and statements between their personal philosophies and attitudes and those of the institution, acknowledging the formal position of the board even if they personally disagree.
- A trustee must respect the confidential nature of library business while being aware of and in compliance with applicable laws governing freedom of information.
- Trustees must be prepared to support to the fullest the efforts of librarians in resisting censorship of library materials by groups or individuals.
- Trustees who accept library board responsibilities are expected to perform all of the functions of library trustees.

*Adopted by the Board of Directors of the American Library Trustee Association, July 1985.*

*Adopted by the Board of Directors of the Public Library Association, July 1985.*

*Amended by the Board of Directors of the American Library Trustee Association, July 1988.*

*Approval of the amendment by the Board of Directors of the Public Library Association, January 1989*

## Map of Public Library Systems in New York State