HANDBOOK FOR LIBRARY TRUSTEES OF NEW YORK STATE
2015 Edition

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ACKNOWLEDGEMENTS

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Use the online version of the handbook, available through the New York State Library's website: http://www.nysl.nysed.gov/libdev/trustees/handbook/index.html. Simply use the "CTRL F" function on your computer keyboard to find what you are looking for.

LIBRARY TRUSTEES ASSOCIATION
OF NEW YORK STATE
Connecting trustees through advocacy, recognition and education

Dear Library Trustee,

Thank You! Thank you for answering the call to become a library trustee, for your service, time, and commitment to excellence. Thank you for all of your efforts to make New York State libraries models for our nation. Your hard work and efforts do not go unnoticed and are greatly appreciated.

You have an extremely important role to play in the success and long-term growth of your library -- and the realization of that can sometimes be daunting. This handbook provides you with a solid foundation from which you can continue to grow. Becoming well versed with its information will make your job as a library steward much easier. Whether you are a brand new trustee or have served for 20 years, the 2015 edition of this handbook is an essential read.

When you need additional information – you are never alone. For answers, guidance, and resources, you can reach out to your library director, library system, the Division of Library Development, and library organizations like the Library Trustees Association of New York State (LTA).

Chartered by the New York State Board of Regents in 1949, LTA is *the* state organization for library trustees. LTA is the voice of library trustees in New York State, and its mission is "connecting trustees through advocacy, education and recognition."

LTA provides vast amounts of information and resources for new and experienced trustees alike. We keep trustees informed through newsletters, emails, and our frequently updated website. We provide many tools to help trustees, including our library policy database. The database contains over 3000 real library policies which have been shared by your peers, is continually updated, and can be searched by multiple criteria.

We help keep trustees "in the know" about innovative library programs, continuing education opportunities, and library legislation. LTA educates trustees through our annual Institute, regional presentations, and webinars; and we help build trustee leadership skills so individual trustees can inspire and energize their fellow board members to become even more effective in their roles. We recognize and reward trustees who are actively engaged in their own continuing education and who stand out as making a difference in the development of their library.

By sharing the successes and struggles of trustees, LTA connects trustees from across the state and provides an opportunity for trustees to learn from their peers. LTA becomes more effective as more trustees engage with one another.

Likewise, LTA is more effective as an organization when it connects with the *rest* of the library community. LTA works in close partnership with library systems, the Division of Library Development, NYLA --the leading organization for library professionals -- the 3Rs, and other library organizations. And we encourage individual trustees to do the same.

When LTA works in tandem with other organizations, there is greater strength among trustees, and the library community as a whole will speak with a more united and resonating voice. With collaboration and partnership, we will work together to help each other reach our goals and build libraries which not only survive but *thrive* in the 21st century and beyond.

Sincerely,

Timothy Gavin, Executive Director and
Robert Presutti, President

For more information about LTA, please visit: www.librarytrustees.org

PREFACE

Libraries provide the "currency" for today's information economy. In cities and towns, rural, suburban and urban, throughout New York, 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 spaces, libraries are experiencing unprecedented increases in public use.

New York's 756 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 or help with a school research project, New Yorkers use their local libraries to advance and enhance their personal, educational, and work 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. As public officers, library trustees carry an essential and vital set of fiduciary and legal responsibilities.

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. Reinforcing the traditional services of libraries and welcoming the new, expanded opportunities of broadband Internet access, makerspaces and other technologies, 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 (LTA) 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. Please be advised that it should not be considered as the final authority on any legal or financial aspects of library administration. Library Boards should consult with their attorney and/or certified public accountant on any legal or fiscal issue before them. All commentary on library law is based on the actual law or established opinion by State agencies.

The *Handbook* is intended to be kept in a binder or folder along with other important documents such as the Library's Bylaws, Policy Manual, and Long-Range Plan, so that updated information can be added as needed. The online version (http://www.nysl.nysed.gov/libdev/trustees/handbook/index.html) includes live web links and is searchable using the (CTRL F) function on your keyboard. It is an important companion to this Handbook.

All trustees should be aware that the New York State Library provides information on a range of topics on their website (http://www.nysl.nysed.gov/). The New York State Library Division of Library Development website deals specifically with public library issues (http://www.nysl.nysed.gov/libdev/). This site includes links to a number of informative webinars specifically designed for the public library trustee: (http://www.nysl.nysed.gov/libdev/webinars/index.html).

The Library Trustees Association of New York State (LTA) (LibraryTrustees.org) and the Mid-Hudson Library System (http://midhudson.org/topics/trustees), both provide excellent and continually evolving resources for trustee training. Your regional public library system's website (http://www.nysl.nysed.gov/libdev/libs/publibs/1pls.htm) will also provide you with critical 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 an increasingly complex regulatory environment, contradictory laws and regulations, new technologies and emerging competitors for the library's customers. At the same time they have never been more vital to the well-being of our society. 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.

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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.

Each public library is chartered by the Board of Regents of the University of the State of New York, one part of the vast statewide educational system. The Regents' responsibilities include oversight of all educational and cultural institutions, including more than 750 public libraries, upwards of $1.2 billion in public library operating funds and over 6,000 public library trustees.

The Regents appoint the Commissioner of Education, who is the chief executive officer of the State Education Department. Among the major offices of the Education Department is the Office of Cultural Education, comprised of the State Archives, State Library, State Museum and the Office of Educational Television and Public Broadcasting. The Assistant Commissioner for Libraries, also known as the State Librarian, is responsible for the activities of the New York State Library, which includes the Research Library, the Division of Library Development (DLD) and the Talking Books and Braille Library. The Division of Library Development coordinates and administers federal and 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 comparison of the types of public library systems is available on the State Library's website (http://www.nysl.nysed.gov/libdev/libs/libtypes.htm).

Each public library system develops its own plan of service, 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 while saving local tax dollars. 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 offer resources in greater numbers and depth than usually found in local libraries.

Public library system services may include the following:

- Online catalogs;
- Interlibrary loan and delivery of materials;
- Administration of computer networks and integrated library automation systems (ILS), 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, governance, funding, 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;
- Coordinated collection development support;
- Public awareness and advocacy leadership;
- 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. The state is also served by forty-one school library systems sponsored by the BOCES and Big Five City Schools. The school library systems provide support services, professional development, consultation, and assistance to both public and non-public school libraries. For more information: http://www.nysl.nysed.gov/libdev/libs/libtypes.htm.

The statewide library network leverages technology to ensure access to library resources for all New Yorkers. All public library systems and the State Library offer online catalogs, remote access to research and learning databases and locally developed digital resources that are available online. Using the Internet and various software products to link systems and databases, the State Library, the library systems and New York's local libraries offer seamless access to library and information resources within 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 (LTA) is an important source of support and information for local libraries. LTA is the state organization for library trustees, offering a range of valuable services. It advocates on behalf of

library interests at the state level, recognizes the accomplishments of trustees and educates trustees through workshops, the Annual Trustee Institute, regional presentations, print and electronic resources and via the LTA website: 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. Find NYLA online at NYLA.org.

Your library should have a budget line devoted to organizational memberships. Each library benefits from the advocacy and professional development work done by these groups.

Since many issues affecting libraries originate on the federal level library trustees should be familiar with the American Library Association (ALA.org) and its United for Libraries Division (ALA.org/united). Both organizations work diligently to inform and support libraries, their trustees and their advocates on a national level.

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.

Resources:
- American Library Association (ALA) ALA.org
  - United for Libraries (a division of ALA) ALA.org/united
- Library Trustees Association of New York State (LTA) LibraryTrustees.org
- New York Library Association (NYLA) NYLA.org
- Types of Library Systems: A Comparison [New York State Library] http://www.nysl.nysed.gov/libdev/libs/libtypes.htm

LIBRARY LAWS AND REGULATIONS

As New York State 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 their public library system and seek the advice 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 receive a charter from the Board of Regents of the University of the State of New York and are registered with the Education Department. The charter gives the library a corporate existence. The basic powers and duties of all library boards of trustees are defined in Education Law § 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. A library's "registration" demonstrates compliance with Education Department Regulations (8 New York Codes, Rules and Regulations (NYCRR) § 90.2 (Minimum Standards). A library must maintain its registration to receive local and state public funding.

Other pertinent New York State Education Laws and Regulations include:

Education Law:
- § 216 - Charters and incorporation
- § 226 - Powers of trustees of institutions
- § 253 - Definition of a public library
- § 254 - Standards of library service
- § 255 - Establishment of a library
- § 256 - Library service contracts (with unchartered areas)
- § 259 - Library taxes and funding
- § 260 - Powers of Trustees; School District Public Library authority
- § 272 - Library Systems
- § 273 - Apportionment of State Aid

Commissioner's Regulations:
- § 11.4 - Annual Reports
- § 90.2 - Minimum Standards
- § 90.3 - Public Library Systems;
- § 90.4 - Central Libraries
- § 90.7 - Certification of Public Librarians
- § 90.8 - Personnel
- § 90.9 - Library Services Aid
- § 90.12 - State Aid for Library Construction

All public and association libraries are subject to various parts of the Education Law, Labor Law, Public Officers Law and the Not-for-Profit Corporation Law (including select portions of the Non-Profit Revitalization Act), as well as numerous other New York State laws governing the conduct of corporations, both public and private; a compelling reason for the Library to retain knowledgeable legal counsel.

Public libraries, those considered to be municipal, school district or special legislative district libraries, are also subject to several additional laws, regulations and policies 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, Oath of Office & FOIL)
- NY State Comptroller's Policies and Procedures (Accounting standards, investments, etc.)

An excellent compilation of the laws, regulations and pertinent legal opinions affecting the public libraries in New York State is available at:
http://nyla.org/images/nyla/files/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 at:
http://www.nysl.nysed.gov/libdev/excerpts/index.html.

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 governance of the library to clearly understand their particular configuration. For a detailed comparison chart see: http://www.nysl.nysed.gov/libdev/libs/pltypes.htm

An **association library** is a private corporation established by the members of the association. 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 education 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 transparency and accountability in mind as they make decisions. In addition to Education Law such libraries are subject to some aspects of the New York State Not-for-Profit Corporation Law.

A **municipal 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. The library is an independent corporate entity and not dependent upon the municipal government. However, the board of trustees is appointed by the municipality, which is responsible for the appropriate funding of the library. The library 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). Typically the library board is elected by the district residents. The library and the library board are independent of the school district and the school board. However, 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 § 260 (7)-(11).

A **special legislative district library** is created by a special act of the State Legislature and a local public vote to serve all or part of one or more municipalities or districts as defined by its enabling legislation. Each of these libraries is somewhat unique but all are considered "public" insofar as adherence to state law.

Tax exempt status: Every association library should obtain federal tax-exempt status under Section 501(c)(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. A library that has such an exemption is required to file Form 990 annually with the Internal Revenue Service. (http://www.irs.gov/Charities-&-Non-Profits/Charitable-Organizations).

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. Failure to file three years in a row will result in the revocation of the library's 501(c)(3) status. Federal law requires that the library's completed Form 990 must be on file at the library and available for public inspection upon request. In addition to the federal tax exemption, each library should also obtain a state sales tax exemption certificate.

Public libraries (municipal, school district and special legislative district) are, by definition, a government entity under IRS code, and therefore tax exempt and not 501(c)(3) corporations. However, public libraries may receive a confirmation of tax exempt status from the Internal Revenue Service to use with grant makers and businesses. (http://www.nysl.nysed.gov/libdev/libs/pldtools/guide/1taxxmpt.htm).

Transparency: As noted in the chapter on **Board Organization**, each library board is required by the Open Meetings Law and Education Law §260a to conduct its business in public with only a few very limited exceptions. All municipal, school district and special legislative district libraries must also conform to the requirements of the Freedom of Information Law (FOIL) (http://www.dos.ny.gov/coog/index.html).

Although 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 board is also required to approve and file an annual *State Report* with the New York State Library 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 and local funding and ultimately to the closing of the library.

By Education Department Regulations (8 NYCRR) § 90.2, the Commissioner of Education has established minimum standards for public and association libraries. A public library is required to have:

- Written bylaws;
- 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 education qualifications for library director as established in Commissioner's Regulation § 90.8 are as follows:

Chartered Population	Education Qualification
2,500 - 4,999	Two years of college study
5,000 - 7,499	Bachelor's degree
7,500+	Master's degree in Library Science (MLS) and NYS public librarian's professional certificate

A library in New York State must meet these Minimum Standards in order to be registered to receive public funds. The library board is ultimately responsible for ensuring these minimum standards are met. A practical explanation of these standards is available at: http://www.nysl.nysed.gov/libdev/helpful.htm

In addition, NYS General Municipal Law § 30 requires each public library to file an annual report of financial transactions with the Office of the State Comptroller (OSC).

Resources:

- *Webinar*: Basic Library Law for Trustees: https://vimeo.com/133457168

- Committee on Open Government [NYS Department of State]
  http://www.dos.ny.gov/coog/index.html

- Education Law and Rules of the Board of Regents Relating to Education Corporations [NYS Education Department] http://www.counsel.nysed.gov/pamphlet9/

- Excerpts from New York State Law and Regulation of the Commissioner of Education pertaining to Libraries, Library Systems, Trustees and Librarians [New York State Library] http://www.nysl.nysed.gov/libdev/excerpts/index.html

- Helpful Information for Meeting Minimum Public Library Standards [New York State Library] http://www.nysl.nysed.gov/libdev/helpful.htm

- New Library Laws [New York State Library]
  http://www.nysl.nysed.gov/libdev/fundlaw2.htm

- The Non-Profit Revitalization Act (2013) and New York State Libraries and Library Systems [New York State Library] http://www.nysl.nysed.gov/libdev/trustees/coi-wb.htm

- Public Library Law in New York State by Robert Allan Carter
  http://www.nyla.org/images/nyla/files/Public_Library_Law.pdf

- Tax Exempt Status [New York State Library]
  http://www.nysl.nysed.gov/libdev/libs/pldtools/guide/1taxxmpt.htm

- Tax Information for Charitable Organizations [IRS] http://www.irs.gov/Charities-&-Non-Profits/Charitable-Organizations

- Types of Public Libraries: A Comparison [New York State Library]
  http://www.nysl.nysed.gov/libdev/libs/pltypes.htm

Related Documents and Policies:
☐ Annual Report to the Community
☐ Library Charter/Enabling Legislation
☐ Long Range/Strategic Plan
☐ Public Access to Records (FOIL) Policy

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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 education 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, http://regents.nysed.gov/about/statement_governance)

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

- Create and develop the mission of the library;
- Regularly plan and evaluate the library's service program based on community needs;
- 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;
- 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 an 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, insurance professionals, IT professionals and other knowledgeable 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 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 <u>all</u> 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.

- ✓ Annually evaluate the board, individually and as a whole. This process has proven to be an effective means to improve intra-board communication and bring focus to the tasks at hand.

- ✓ 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.**

Resources:
- NYS Board of Regents: Statement on the Governance Role of a Trustee or Board Member http://www.regents.nysed.gov/about/statement_governance

- Right From the Start: Responsibilities of Directors of Not-For-Profit Corporations [NYS Office of the Attorney General] http://www.charitiesnys.com/pdfs/Right%20From%20the%20Start%20Final.pdf

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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, an opportunity to meet the staff, and an orientation to the library's website and online resources. It is considered a best practice to provide every library trustee with a specific library e-mail account in order to clearly distinguish library related e-mail correspondence from personal e-mail. Remember, for libraries subject to the Freedom of Information Law (FOIL), e-mails related to library business may be subject to public scrutiny.

In the orientation process, 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 in print or on a trustee area of the library's website:

- A brief history of the library;
- Copies of the library's charter documents;
- A map of the library's service area;
- Bylaws 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 and master facility plan;
- 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 and other key documents pertaining to the library;
- An explanation of the library's public library system, including the services they provide to the library;
- Library newsletters, brochures and annual reports to the community;
- Information on the Friends of the Library (if applicable);
- *Handbook for Library Trustees of New York State;*
- Board of Regents *Statement on the Governance Role of a Trustee or Board Member:* http://www.regents.nysed.gov/about/statement_governance;
- Resume or brief biography of the library director;

☐ Upcoming continuing education and networking opportunities through the local library system, State Library, LTA and NYLA;

☐ List of local, county, state and federal legislators that represent the library's service area; and

☐ Compliance calendar that indicates due dates of major reports and events for the organization.

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.

Resources:

• *Webinar*: What Every Trustee Should Know: https://vimeo.com/134973499

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LIBRARY BOARD ORGANIZATION

Public libraries are required by the Regulations of Commissioner of Education of New York State (Education Department Regulations [8 NYCRR] § 90.2) to operate under written bylaws. Bylaws 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).

Bylaws 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 it appropriate to tailor its bylaws to local needs and situations. The bylaws should be reviewed periodically and amended when necessary to maintain flexibility and relevance. Nonetheless, bylaws must conform to the library's charter of incorporation and, if applicable, enabling legislation.

All bylaws 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 (such as Robert's Rules of Order);
- Procedure for amendment of the bylaws.

Oath of Office

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 New York 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), or the library's board president if the president has taken an oath of office, and must be filed in the local county clerk's office (or with the town clerk for town library trustees). Failure to do so in a within 30 days of commencing the term of office will vacate the position. (http://www.nysl.nysed.gov/libdev/trustees/oath.htm)

For libraries with an appointed or elected board it is 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.

Collective Authority

Under New York State law, a library board has broad authority to manage the affairs of the library, but it is a <u>collective</u> 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 <u>not</u> 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.

Duties of Officers

The library's bylaws define the duties of the board officers, typically the President, Vice-President, Secretary and Treasurer/Finance Officer. Such officers are elected annually by the Board at an annual reorganization meeting and serve for a period of one year.

The **President** presides at all meetings of the Board, and is responsible for the proper conduct and effectiveness of such meetings. They authorize the call for any special meetings, appoints committees members, execute all documents authorized by the Board and generally perform all duties associated with that office. The Board President also serves as the primary liaison between the board and the director.

The **Vice President** assumes the duties of the President in their absence.

The **Secretary** is responsible for an accurate and timely record of all meetings of the Board, issues notice of all meetings, and performs other duties associated with that office.

The office of **Treasurer** varies greatly, depending upon the library's legal structure. **School district and most special legislative district libraries** must appoint (hire) an independent Treasurer who is not a member of the Board. Under the provisions of Education Law § 259 (1)(a) this independent officer reports to the board and is responsible for the receipt and disbursement of tax monies after Board approval.

Special legislative district libraries should refer to their enabling legislation for clarification. In the case of school district libraries, the school district treasurer is required to act in this capacity unless the library board appoints its own Treasurer.

Municipal libraries that exercise their right under Education Law § 259 (1)(a) to request their tax appropriations be paid over to the library are strongly advised to appoint an independent Treasurer. In the case of municipal libraries where tax funds are held, and invoices are paid by the municipality, the Treasurer of the municipality serves in this capacity.

The State Comptroller has repeatedly opined that the doctrine of "incompatibility of office" applies to school district, municipal and special legislative district libraries (according to their enabling legislation). This is often applied to the appointment of a board member to the office of Treasurer. In such cases it is considered a best practice to appoint (hire) an independent Treasurer and appoint a trustee as the board's "Finance Officer" who would oversee the regular audit of claims, chair the board budget committee and otherwise serve in such a capacity.

Association libraries are not governed by these restrictions and may appoint a trustee as Treasurer to oversee the receipt and disbursement of library funds, report to the board and otherwise fulfill the duties of Treasurer.

Resources:
- Oaths of Office [New York State Library]
  http://www.nysl.nysed.gov/libdev/trustees/oath.htm

- Sturgis, Alice. *The Standard Code of Parliamentary Procedure.* Fourth revised edition. New York: McGraw-Hill, 2001

Related Documents and Policies:
- ☐ Code of Ethics/Conduct
- ☐ Conflict of Interest Policy
- ☐ Library Board Bylaws
- ☐ Removal of a Trustee

LIBRARY BOARD MEETINGS

All library board meetings fall under the provisions of the Open Meetings Law which is discussed in detail below.

Library board meetings are conducted under the rules set forth in the library's bylaws, which must comply with the library's charter, state and federal law and regulation. 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, the schedule of bills to be paid, proposed personnel actions and committee reports. Background information on the issues before the board should be distributed as well as 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. 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 (4) 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 bylaws 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 Graduate 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.

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 § 260-a and Public Officers Law, art. 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. Educational sessions in which the board does not conduct business are exempt from Open Meetings Law.

For "public" library boards (municipal, school district and special legislative district libraries) the requirements of the Open Meetings Law also apply to all committees and sub-committees of the board. In the opinion of the Committee on

Open Government, if two or more trustees are members of such committees; *even if they number less than a quorum of the entire board,* Open Meetings Law applies. Note that board committees of association libraries outside of New York City are not subject to these provisions since they are not considered "public bodies" under the law. (Public Officers Law, art. 7; Education Law § 260-a)

Under Open Meetings Law when a document "is scheduled to be the subject of discussion by a public body during an open meeting," the legislation requires the public body, with reasonable limitations, to make the record available to the public prior to the meeting. Optimally, the record will be made available online. If that cannot be done, the record can be made available in paper form in response to a request.

Executive sessions, meetings from which the public and the news media may be excluded, must 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 may invite advisors into an executive session with them such as the library director, system consultant or the library's lawyer. The library director should almost always be invited in to an executive session unless the board is discussing a personnel matter related to that person.

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. Posting them on the Library's website is a preferred practice. 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."* The minutes must reflect how each Board member voted on such actions. (Public Officers Law § 87 [3] [a])

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: http://www.dos.ny.gov/coog/index.html

Quorum

Education Law § 226 (1) states that a "majority of the whole number [of trustees, regardless of vacancies] shall be a quorum." Board members must be present to vote. Teleconferencing does <u>not</u> 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.

It is important to note that, under New York State General Construction Law § 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 be chartered to consist of seven members; an affirmative vote of four is <u>always</u> 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 as a "best practice" when establishing the definition of a quorum in their bylaws. It is recommended that your bylaws state an uneven number of trustees to avoid tie situations.

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. Some Boards specify the basic outline of the meeting agenda in their bylaws. 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 and roll call of members

   ii.   Pledge of Allegiance

  iii.   Adoption of agenda

  iv.   Approval of prior meeting minutes

   v.   Period for public expression

  vi.   Correspondence

 vii.   Personnel Actions Report

viii.   Treasurer/Finance Officer's Report

         a. Report of receipts and disbursements

         b. Warrants

         c. Presentation of projected cash flow

  ix.   Director's and Department Heads' reports

   x.   Committee reports

  xi.   Old Business

 xii.   New Business

xiii.   Period for public expression

xiv.   Dates of future board meetings

 xv.   Other Business

         a. Executive Session re: Director's Annual Performance Evaluation

xvi.   Adjournment

Fiduciary Responsibility

"To act for someone else's benefit with special responsibilities for the administration, investment of assets that belong to someone else."

-NYS Not-for-Profit Corporation Law

Among the responsibilities given to trustees is the oversight of the library's finances. A board's role is to put controls in place. These include a board-approved budget, internal financial controls (discussed below) and third-party oversight of financial operations through a routine pattern of reviews and audits by a Certified Public Accountant (CPA).

All expenses must be approved by the Board at a legally held meeting. (Education Law § 259 [1] [a]). (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** Chapter**)**

Personnel

According to Education Law § 226 (7) 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** Chapter**)**

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, website or budget;
- Financial matters that may come up later for a board vote;
- Update on internal projects (i.e. weeding, technology upgrades, website redesign), particularly in relation to the library's long-range and strategic plans;
- Relevant statistics and comparisons;
- Summary of 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 interest of time and effectively conducting the business of the board, a policy regarding participation by the public in their meetings should be adopted. 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.

Resources:

- Chait, Richard P., William P. Ryan and Barbara E. Taylor. *Governance as Leadership: Reframing the Work of Nonprofit Boards,* Hoboken, N.J. : John Wiley & Sons, 2005

- Local Management Government Guide [Office of the State Comptroller] http://www.osc.state.ny.us/localgov/pubs/listacctg.htm#lgmg

- Open Meetings Law Advisory Opinions [Committee on Open Government, NYS Department of State] http://www.dos.ny.gov/coog/oml_listing/oindex.html

Related Policies and Documents:

☐ Audit/Review Schedule
☐ Board Meeting Procedures (including Public Expression Procedure)
☐ Claims Audit Process
☐ Library Board Bylaws

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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. New York State Not-for-Profit Corporation Law (§ 720-a) and Public Officers Law (§ 18) 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. (See **Policies** Chapter)

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 practice drills held? Are security procedures in place? Is there a business continuity 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.

Resources:
- Disaster Preparedness and Recovery [American Library Association] http://www.ala.org/advocacy/govinfo/disasterpreparedness

- NYS Citizen Preparedness Corps http://prepare.ny.gov/

- NYS Emergency Management http://www.dhses.ny.gov/oem/

Related Policies and Documents:
☐ Business Continuity Plan
☐ Emergency Plan (*includes disaster recovery and active shooter procedures*)
☐ Fire Safety Plan
☐ Incident Report Form
☐ Inclement Weather/Closing Procedure
☐ Patron Behavior/Code of Conduct
☐ Patron Complaints
☐ Records Retention
☐ Unattended Children
☐ Vulnerable Adults

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. In addition, clearly reasoned and written, up-to-date policies provide the Library with critical legal protection.

Policies are the rules and the principles that guide the operation and the use of the library. They are required by Education Department Regulations (8 NYCRR) § 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, business continuity, 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. Check the *Resources* section at the end of this chapter for sources of sample policies and policy development tips.

Typically, library boards have written policy statements in many of the areas you see notated at the end of each chapter in this publication. The full checklist is included in the Appendices.

All policies should be able to stand alone and be dated for the original adoption and review and/or revision dates. 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. Archival records of superseded policies should be kept as part of a public library's Records Retention Policy.

Personnel policies are critical to any successful operation and must be consistent, current 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. Posting and updating of personnel and other internal policies and procedures on a staff intranet is a common best practice.

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 charter, 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.

All policies should have the date of the board's approval and the date of revisions noted in the footer of the document. Regular review and revision is essential. Copies of the policy manual must also be housed in the library and be easily accessible by the staff and public. Posting public (external) policies on the library's website is considered a best practice.

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 and to apply them consistently.

Resources:
- Library Trustees Association of New York State: Policy Database http://librarytrustees.org/policies.php

- Mid-Hudson Library System: Public Library Policies - Development Tips & Samples http://midhudson.org/topics/director-resources/policies/

- New York Library Association: Sample Policies http://bit.ly/1KKsqTw

- New York Library Trustees Online: Library Policies *(Obtain login through public library system.)* http://www.nylto.org/course/index.php?categoryid=3

Related Policies and Documents:
☐ Records Retention

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, 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.

The library board and staff must be transparent about conflicts of interest. A conflict of interest policy and disclosure form are now required for all libraries in New York State given the Department of Education's Office of Counsel ruling on how the Non-Profit Revitalization Act applies to libraries. The Act specifies particular issues to be addressed in a library's conflict of interest policy. More information is available on the New York State Library's website (http://www.nysl.nysed.gov/libdev/trustees/coi-wb.htm).

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. Should you find a pre-existing nepotism situation at the library it is critical to review with managers appropriate communication channels and authority. Trustees in conflict in this area may need to recuse themselves from certain votes that would impact their relative(s).

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.

Resources:

- Conflict of Interest policy, Non-Profit Revitalization Act [New York State Library] http://www.nysl.nysed.gov/libdev/trustees/coi-wb.htm

- Internal Controls and Financial Accountability for Not-for-Profit Boards [NYS Office of the Attorney General] http://charitiesnys.com/pdfs/Charities_Internal_Controls.pdf

- Public Library Trustee Ethics Statement [United for Libraries, American Library Association] http://ala.org/united/sites/ala.org.united/files/content/trustees/orgtools/Ethics%20Statement.pdf

Related Policies and Documents:

☐ Code of Ethics
☐ Conflict of Interest
☐ Nepotism
☐ Whistleblower Protection

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PERSONNEL

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

The Critical Partnership: Trustees and the Director

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 qualified library director as the "CEO" (Chief Executive Officer) and then to regularly review and evaluate that person's performance in moving the library forward. 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 and maintain 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 or through official actions at a board meeting. 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.

Trustees and Staff

The day-to-day management of the library, including the management of staff, is the library director's responsibility. The director is the <u>only</u> employee overseen 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 and ultimately lead to misunderstanding and conflict. (See the Appendix *Working Together: Roles & Responsibilities Guidelines* for helpful guidelines).

Board policies, including a "Whistleblower" policy as required by law, should clearly indicate the process for staff complaints and grievances, and the board should never get involved in such activities outside of this process. Individual trustees must never address staff complaints and grievances; rather, they should refer the staff to the appropriate 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.

Though Education Law § 226 (7) specifically prohibits trustees from receiving compensation, some trustees may act as library volunteers, especially in small libraries. Likewise, libraries without an anti-nepotism policy often have trustees' family members on staff. This situation can lead to an awkward situation for all involved. (State law only prohibits public library trustees from appointing their close relatives as "officers of the corporation", i.e., director, treasurer or trustee.) A trustee is part of the governing board of the library, while staff and volunteers report to the library director or other paid supervisor. 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.

Appointment of Staff

Education Law § 226 (7) specifies that <u>all</u> 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 <u>all</u> 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.

Selecting the Library Director

The most important responsibility of a library board of trustees is to select a qualified library director who can work effectively with the Board, professionally manage the institution and reflect the ideals of the institution and the community it serves. All libraries are required to comply with Education Department Regulations (8NYCRR) § 90.8 governing the minimum qualifications for library director. Public libraries must also conform to the Civil Service rules for employment in their jurisdiction and in the State of New York. (See the Appendix *Civil Service 101* for more information.)

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. Each of these should be considered in light of the library's mission, long range and strategic planning documents and recent assessments of community needs. 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. 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 and put it in writing, in the form of a letter, memorandum or contract. 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 their job performance;
- The evaluation effort provides the board with critical information about the operations and performance of the library and should be conducted in such a way to inform the evaluation of progress on the library's long-range plan;
- 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 improve communication and 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 efforts;
- 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. It is also important to mutually develop an annual performance plan with the director. 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, and the evaluation methodology;
- 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 director's performance plan, 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.

Compensation

It is important for the board to offer competitive salaries and benefits for library personnel. A library's success is dependent upon the quality of customer service provided by library staff. You will want to plan accordingly to retain competent, qualified, customer service-focused staff.

Use benchmarks such as the MIT Living Wage Calculator (http://livingwage.mit.edu/), salary levels of corresponding personnel in the local school district and salary and benefit levels in equivalently sized libraries in your region.

Continuing Education

No one is born an expert at their job. On the job learning, mentoring and continuing education opportunities are essential to an employee's success and therefore the library's success. The board should adequately budget for continuing education for staff, including the ability for staff to attend educational opportunities on work time and accommodations to underwrite the travel costs to workshops and conferences. At least 1% of the library's operating budget should be invested into education for staff and trustees. A good library never stops learning.

Your First Responsibility:

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.

Resources:
- *Webinar*: The Critical Partnership: Public Library Trustees and Directors
  https://vimeo.com/98339288

- "Evaluating the State of the Library – Director Evaluation" [Mid-Hudson Library System] http://midhudson.org/topics/trustees/atb-evaluating-the-library-1/

- "Evaluating the State of the Library – Board Effectiveness" [Mid-Hudson Library System] http://midhudson.org/topics/trustees/atb-evaluating-the-library-2/

- Organizational Tools for Trustees [United for Libraries] http://www.ala.org/united/trustees/orgtools

Related Policies and Documents:

☐ Attendance/Leave
☐ Code of Conduct
☐ Computer/Internet/Email/Social Media Use
☐ Continuing Education
☐ Customer Service
☐ Director's Contract/Memorandum of Agreement
☐ Discipline/Termination
☐ Equal Employment Opportunity Statement
☐ Evaluation Procedure
☐ Grievance Procedure
☐ Harassment
☐ Jury Duty
☐ Orientation
☐ Outside Employment
☐ Patron Confidentiality
☐ Personnel Records Access
☐ Probationary Period
☐ Recruitment/Hiring
☐ Salary/Benefits
☐ Volunteers
☐ Whistleblower Protection
☐ Workplace Safety

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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 and association library, regardless of size, is required to 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 approves a plan of service and the director translates that mission and plan 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 and include projections for future years.*

During its development, the budget draft should be reviewed and scrutinized by the president, the library treasurer/finance officer and/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. The entire board should review and discuss the library's budget. The final budget must be approved by the board prior to submittal to the electorate or funding authority.

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, and in compliance with the NYS Comptrollers' guidelines (http://osc.state.ny.us/localgov/pubs/arm.pdf), the library may have more than one accounting fund. The *operating fund* is the account from which the library's day-to-day income and expenses are received and disbursed and 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 at an open meeting. It is common for the library to maintain an "undesignated" fund, or "fund balance," to meet the cash flow requirements of the organization prior to the receipt of taxes.

Each fund must be defined in the library's Reserve Funds policy, identified in the library's annual audit and its purpose understood by every trustee. There is no limit to such reserve funds in law or regulation, but recent State Comptroller's audits have questioned extraordinary reserves (i.e. in excess of the library's annual budget).

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. There should be justification, based in reality, for all reserve funds. 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 <u>service</u> 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 New York State Library. In addition, all public libraries are required to submit an *Annual Update Document (AUD)* to the Office of the State Comptroller and all association libraries registered as a 501(c)(3) with the IRS should submit *Form 990* to the Internal Revenue Service.

External Audits

Boards should authorize annual external audits by an independent certified public accountant (CPA) in order to assure that the financial management and control system is functioning properly. While the board may be concerned about the cost of an external audit by a CPA, it is important to remember that these funds belong to the community and deserve professional oversight.

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 seek the issuance of 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 (GASB.org) in their management of public funds.

New York State Comptroller's Audits

The Office of the State Comptroller (OSC) has the right to audit the finances and internal financial control practices of public libraries. They may also audit association libraries, but only in the area of tax cap compliance. All public libraries should prepare for an eventual audit from OSC. A review of recent audits of public libraries by OSC revealed five areas that were commonly deficient. Each library board should ensure library policy, procedures and practices are in alignment with OSC's recommended best practices for internal controls, particularly in the areas of:

- The claims audit process: Does the board review and approve every bill?
- Cash handling procedures: Are there viable segregation of duties procedures in place?
- Purchasing/procurement policy: Are there written procedures in place even for purchases under the threshold for bidding under NYS General Municipal Law?
- Credit card policy: Who may use credit cards for what specific purposes?
- IT security: Is your business and banking data safe?

Guidance from OSC on all five of these areas is available through their Local Government Management Guide modules:

- *The Practice of Internal Controls*
- *Improving the Effectiveness of Your Claims Auditing Process*
- *Information Technology Governance*
- *Seeking Competition in Procurement*
- *Investing and Protecting Public Funds*

All are available at: http://www.osc.state.ny.us/localgov/pubs/listacctg.htm#lgmg.

Library Funding

Adequate funding is not the job of the library director. It is the library board who is accountable to the local community for obtaining sufficient funding to provide appropriate public library services; both for the present and well into the future. Public libraries demonstrate a community's commitment to a better tomorrow, and it is the trustees' responsibility to assure that their library will be a strong and viable institution for their children and grandchildren. A public library is a public service and secure, reliable public funding is the most appropriate way to pay for it. A public library is not a charity!

Today's increasing regulation, public scrutiny and technological changes must be met with farsighted and unselfish vision that recognizes these realities and plans for the future. This may mean significantly restructuring library services, or even pursuing a new legal structure to obtain stable tax support, on your own or in cooperation with neighboring libraries. Ultimately, the board must assume the responsibility for tomorrow's community library.

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, 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 complementary 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 unable to provide the library resources their community deserves are well advised to investigate alternative models for funding library service as demonstrated by the Board of Regents endorsed public library district model: (http://www.nysl.nysed.gov/libdev/libs/pldtools/index.html).

Property Tax Cap

Libraries of all types that have their own board of trustees and have a public vote on their tax levy are subject to the Local Government section of the NYS Property Tax Cap law. This is legislation that went into effect in 2011 and is designed to limit property tax increases to 2%, or the Consumer Price Index (CPI), whichever is less. Each year your library must file an online form with the Office of the State Comptroller (OSC) to indicate your compliance with the particulars of the law. In the course of the board's budget deliberations, you may determine that your library may be justified in asking for more than the tax cap amount. To accomplish this the board must pass a tax cap override resolution prior to the public vote on the library's tax levy. This resolution must receive an affirmative vote by 60% of the library trustees. The public vote must then pass by a simple majority to approve the levy amount. For more information see:
http://osc.state.ny.us/localgov/realprop/localgovernments.htm.

Investment of Funds

Because public library 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.)" See: *Investing and Protecting Public Funds* (http://osc.state.ny.us/localgov/pubs/listacctg.htm#investing)

Under General Municipal Law and subsequent court rulings, all funds (including privately raised moneys) under the control of a municipal, school district, or special legislative 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;
- In 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 for public libraries. 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 and association 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, Community Development Corporation or the Dormitory Authority of the State of New York (DASNY). 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.

Other sources of funding for capital projects for public libraries, and the primary sources for association libraries, can include a traditional capital campaign, requests for funding through your state legislators and the State Aid for Library Construction Program administered through your public library system.

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 <u>private</u> 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. Please refer to the chapter on Library Friends and Foundations later in this Handbook.

Resources:
- *Webinar*: Public Library Finance and the Trustee's Fiduciary Responsibilities: https://vimeo.com/115021246

- Governmental Accounting Standards Board http://gasb.org/

- Grant Administration, Dormitory Authority of the State of New York (DASNY) http://dasny.org/finance/grantadministration.aspx

- Investing and Protecting Public Funds [Office of the State Comptroller] http://osc.state.ny.us/localgov/pubs/listacctg.htm#investing

- Local Government Management Guides [Office of the State Comptroller] http://www.osc.state.ny.us/localgov/pubs/listacctg.htm#lgmg

- Public Library Districts: An Introduction [New York State Library] http://www.nysl.nysed.gov/libdev/libs/pldtools/index.html

- Public Library Vote Toolbox [Mid-Hudson Library System] http://vote.midhudson.org/

- Real Property Tax Cap – Local Governments [Office of the State Comptroller] http://osc.state.ny.us/localgov/realprop/localgovernments.htm

- Sample Tax Cap Override Resolution Language [New York Library Association] http://nyla.org/images/nyla/files/Sample_Tax_Cap_Override_Resolution.pdf

- State Aid for Library Construction Program [New York State Library]
  http://www.nysl.nysed.gov/libdev/construc/index.html

Related Policies and Documents:

- ☐ Audit/Review Schedule
- ☐ Claims Audit Process
- ☐ Credit Card
- ☐ Disposition of Surplus Property
- ☐ Fundraising/Gift
- ☐ Investments
- ☐ Inventory/Fixed Assets
- ☐ Online Banking/ Wire Transfers
- ☐ Petty Cash
- ☐ Purchasing/Procurement
- ☐ Reserve Funds
- ☐ Travel and Conference

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PLANNING AND EVALUATION

Every public and association 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 (http://www.alastore.ala.org/detail.aspx?ID=61).

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 inform decisions about budgeting, personnel, capital improvements, library services and community involvement.

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?

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 <u>now</u> 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?

A practical planning process is outlined in the Appendices.

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. There is always more to do to reach a goal! *Objectives* are specific, measurable, tasks or projects 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. (A useful illustration of a library long range plan may be found at: http://potsdamlibrary.org/Policies/longrange.shtm. Check with your library system for other examples.) Finally, every good plan should come full circle with an *evaluation* process.

Evaluation looks at the past in order to plan for the future. It is an assessment and a measurement of activities that have already occurred and it provides a foundation for moving forward. Objective measurement, supplemented by subjective, anecdotal information, can help the board decide if its objectives have been met. However, it is important to determine the appropriate measurements upfront and to measure the right things. 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 a small part of the activity in a library and is often misleading if not presented as trend data over the past few years. What other measurements can be used to get an accurate picture of how the public uses and benefits from the library? This might include a combination of metrics and outcomes.

Examples of metrics could include: in-house use of materials; Internet use; database searches; program attendance; engagement on the library's Facebook Page and so on. Outcomes are the changes, benefits, learning or other effects that happen as a result of your library's efforts - how you are improving your community. Your evaluation should be appropriate for the service package your library offers to the community.

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

As a steward of the library your planning process should work to create a library for your community that will not just survive, but thrive. Public library services are too important to leave to chance. Planning for the future should incorporate the core value of sustainability. Choices the board makes should be made with an eye towards creating an enduring institution and facility that will be viable, vital and visible for generations to come.

Resources:
- Libraries Transforming Communities [American Library Association] http://www.ala.org/transforminglibraries/libraries-transforming-communities

- New Planning for Results A Streamlined Approach by Sandra Nelson [ALA Editions] http://www.alastore.ala.org/detail.aspx?ID=61

- Outcome-Based Evaluation [New York State Library] http://www.nysl.nysed.gov/libdev/obe/bestprac/examples.htm

- Public Library Statistics [New York State Library] http://www.nysl.nysed.gov/libdev/libs/index.html#Statistics

- Planning and Evaluation [Mid-Hudson Library System] http://midhudson.org/topics/trustees/#Planning

- Project Outcome [Public Library Association] ProjectOutcome.org

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." U.S. Equal Employment Opportunity Commission; The Americans with Disabilities Act (ADA): Questions and Answers, 2009.

Access begins with an awareness of the diversity of the individuals we serve. Be they seniors lacking mobility, an autistic child, those with by hearing or visual impairments, or a wounded veteran returning home; all deserve the same level of service as anyone else. 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 <u>everyone</u> in the community.

Even four decades since the passage of the Rehabilitation Act of 1973 and 25 years after ADA, 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 and budgeting.

New York State Education Commissioner's Regulations require the library board maintain a facility which meets community needs. The Americans with Disabilities Act (ADA) (ADA.gov); the Americans with Disabilities Act Accessibility Guidelines (ADAAG); the Rehabilitation Act of 1973 (Sections 504 and 508) (Disability.gov); and the Architectural Barriers Act (Access-Board.gov) prescribe 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 and document efforts to improve the accessibility of the facility.

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

But access to library service is more than just about the library building. Public library trustees, directors and staff should receive disability awareness training. Such training will educate them about assistive technologies to make the library's materials accessible to all, how to provide alternative library services and resources, and how to use the library's traditional outreach techniques to engage disability-related service providers and organizations in the community.

Services to people who are homebound must be a recognized service program in every library, both for the fact that such patrons need library services as much as or more than others in the community, and that homebound services are legally required under the ADA and Section 504 of the Rehabilitation Act.

Accessibility applies to every aspect of library service. This is especially true of the library's website. Many tools are available to help your online presence be useable by everyone in your community. 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. It is the trustee's responsibility to plan and budget for library service to people with disabilities in their community.

Resources:

- ADA Technical Assistance Materials [United States Department of Justice, Civil Rights Division] http://www.ada.gov/ta-pubs-pg2.htm

- ADA Update: A Primer for State and Local Governments:
  http://www.ada.gov/regs2010/titleII_2010/title_ii_primer.html

- Disability.gov [United States Department of Labor's Office of Disability Employment Policy] Disability.gov/

- Job Accommodation Network: askjan.org

- Library Accessibility: http://www.ala.org/ascla/asclaissues/issues;
  http://www.ala.org/ascla/asclaprotools/accessibilitytipsheets

- NYS Talking Book and Braille Library (TBBL) http://www.nysl.nysed.gov/tbbl/

- United States Access Board Access-Board.gov/

- Website Design: http://www.libsuccess.org/Website_Design#Accessibility

- Your Words, Our Image:
  http://aacpdm.org/UserFiles/file/Your_Words_Our_Image_flyer.pdf

Related Policies and Documents:

- ☐ Accessibility / ADA Statement
- ☐ Collection Development
- ☐ Equal Employment Opportunity Statement
- ☐ Programming
- ☐ Vulnerable Adults
- ☐ Website

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FACILITIES

Education Department Regulations (8 NYCRR) § 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 <u>all</u> 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 New York State Library and the Public Library System Directors Organization: *"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..."* (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. Preventative maintenance for major systems, such as the heating/ventilation/air conditioning system (HVAC), can extend their life and prevent catastrophic or unexpected failure.

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. <u>Every</u> aspect of the library's service program should be evaluated to determine if it is accessible to persons with physical or mental disabilities. (Please refer to the previous chapter on **Access to Library Services**.)

The facility is a major part of the customer experience at the library and should be evaluated as part of the library's commitment to quality customer service.

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. Holding regular fire, "Code Adam" (MissingKids.com/CodeAdam) and similar drills is not just a best practice; it is essential for the maintenance of a safe facility.

In fulfilling the board's charge to create a sustainable library designed to respond to future community needs, you have a significant opportunity to demonstrate your stewardship of the organization through facility decisions. These are decisions likely to impact the community for generations to come. Through passage of library policy that institutionalizes green cleaning procedures to improve indoor air quality for library workers and patrons, all the way up to ensuring a major expansion project or new construction of a library facility is done with an eye towards sustainable design, the library board's decisions tell the story of what kind of organization you are. A sustainable library should have a sustainable and resilient facility.

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.

Major library construction projects should pursue the maximum achievable levels of sustainable design. Very early in project planning, to ensure high return on investment, library boards should prioritize creating healthy, energy efficient facilities that respect the use of our natural resources. Seeking certification for your project through proven programs such as the U.S. Green Building Council's Leadership in Energy & Environmental Design (LEED) program, Green Globes, the Living Building Challenge or Passive House, is one of the most visible,

responsible ways to show the community the library board is committed to good stewardship.

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 and consultation with library system staff 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 with 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. Active planning for the future must continue.

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.

Resources:
- Facility Resources [Mid-Hudson Library System] http://midhudson.org/topics/director-resources/facilities/
- State Aid for Public Library Construction http://www.nysl.nysed.gov/libdev/construc/index.html

Related Policies and Documents:
☐ Accessibility / ADA Statement
☐ Community Survey
☐ Emergency Plan (including disaster recovery and active shooter procedures)
☐ Inclement Weather/Closing
☐ Long Range Plan
☐ Meeting Space/Equipment
☐ Technology Plan
☐ Workplace Safety (including Fire Safety)

TECHNOLOGY

Technology continues to transform library service delivery and impact public perception of modern public libraries. The escalating change technology brings 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 your community.

Access to technology of all types can have a tremendously positive impact on your community. Increased access to information and education through electronic resources can extend, supplement and, in some cases, replace traditional print materials. The provision of robust high speed broadband connectivity to the Internet provides the social and economic connections necessary in modern life. Your library's website and mobile app, if well designed, can streamline the online patron experience and maximize their access to the myriad of resources available to them. By featuring technology and skill development to which residents might otherwise never have access (such as coding and 3D printing), tech-based programming can spark and satisfy curiosity while preparing your community for the new economy. Current, relevant and innovative technology can strengthen a library's ability to connect with those they serve and remain relevant to the community.

This level of service requires both a staff who are comfortable and confident with technology and an institutional focus on the digital literacy skills of library users. Directors must select, and library boards must hire, staff capable of learning and teaching evolving technology tools to their patrons. Meeting and exceeding public expectations <u>requires</u> a library to be on the cutting edge.

As we look to the future, we can't forget the basics: library automation is essential; up-to-date computers, printers and scanners are critical; and adequate bandwidth is a fundamental expenditure that libraries should plan to expand as necessary.

Boards must budget for equipment replacement and broadband connectivity 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.

It is wise for the board to approve a technology plan for the library to integrate technology into the delivery and improvement of public library services to meet the needs of your community. The sample components of a technology plan, as well as a Technology Plan Template, are available at: http://midhudson.org/topics/resource-sharing/technology-operations/technology-plan/

Internet access in particular raises issues of privacy, intellectual freedom and censorship. Education Law §260 (12) requires every library to have an Internet use policy. Such policies must comply with state and federal laws regarding privacy issues. 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 Children's Internet Protection Act (CIPA), which requires libraries to filter Internet access if they accept federal e-rate funds to reimburse local Internet connectivity costs. Useful guidance is available through the ALA's "*Libraries and the Internet Toolkit*" (http://www.ala.org/advocacy/intfreedom/iftoolkits/litoolkit/internetusepolicies).

Resources:

- Broadband for All [New York State] http://www.ny.gov/programs/broadband-all

- E-rate (Universal Service for Telecommunications Discounts Program) for Libraries http://www.nysl.nysed.gov/libdev/univsvc/index.html

- Libraries and the Internet Toolkit [American Library Association] ALA.org/advocacy/intfreedom/iftoolkits/litoolkit/internetusepolicies

- Pew Internet & American Life Project PewInternet.org

- Technology Plan [Mid-Hudson Library System] midhudson.org/topics/resource-sharing/technology-operations/technology-plan/

- Technology Planning (New York State Library) http://www.nysl.nysed.gov/libdev/univsvc/tchplnqu.htm

Related Policies and Documents:

☐ Internet & Wireless Use
☐ Library Equipment Usage
☐ Technology Plan

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. It is important to keep in mind that residents are more likely to support programs they understand, value and use. As leaders in the community, trustees must be prepared to discuss the importance of the library at every opportunity.

What's your "why"? Personal connections and word-of-mouth are proven to be the most effective way to connect residents with the value of the library. How effectively do you speak not just about *what* the library offers but *why* the library offers the services and programs it does? Do you have a personal story of why the library is important to you or your family, or to another resident whose life was changed for the better? Work to get very good at telling the story of why the library is important since this will truly resonate with your listeners. Ensure you can deliver this "why statement" or "elevator/parking lot speech" concisely, so you will grab your audience's attention and effectively make your point.

Beyond word-of-mouth, there are numerous ways to reach the public. The board should budget for at least one mailing to the entire area served by the library. The required annual report to the community may be a smart choice for that mailing. Utilize both print and electronic newsletters. Brochures with basic information (such as: "Where is the library?" and "How to get a library card") are required under Education Commissioner's Regulation § 90.2. Develop a website worthy of being called your online branch. Have a social media presence on Facebook, Twitter and other outlets. Ensure that patrons can access library services through their mobile devices. And don't forget routine press releases and public service announcements for the newspapers, radio and television stations in your region.

There are always new and creative ways to get the word out and the library must *relentlessly* work to connect with the community to ensure a maximum number of residents understand the value of the services you provide.

Public relations also involve partnerships. Trustees should look for ways to form networks and coalitions. 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. Help others see how the library can help them reach their goals for the community.

The board should expect to see library staff deployed out into the community, not just in the library building. Often referred to as "embedded" librarianship, a staff presence in the community where residents work and play, is a smart way to connect to your patrons and position the library as a good partner in the community.

A critical aspect of public relations is legislative advocacy. Libraries can help elected officials understand the needs of a large portion of their constituents and should work proactively to invite legislators (local, county, state and federal) to the library. Elected officials 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 benefit from 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 advocacy through their active membership in the Library Trustees Association of New York State (LTA) (LibraryTrustees.org), the New York Library Association (NYLA.org), and New Yorkers for Better Libraries PAC (https://www.newyorkersforbetterlibraries.org)

Resources:
- Advocacy Resources [United for Libraries]
  http://www.ala.org/united/advocacy/altaffresources

- Advocacy University [American Library Association]
  http://www.ala.org/advocacy/advocacy-university

- New York Library Association http://nyla.org/

- New Yorkers for Better Libraries Political Action Committee
  https://www.newyorkersforbetterlibraries.org

- Power Guide for Successful Library Advocacy [United for Libraries]
  http://www.ala.org/united/powerguide

- Public Library Advocacy: Tools & Resources for Library Advocates [Public Library Association; Bill & Melinda Gates Foundation] PublicLibraryAdvocacy.org/

- Start with Why: "How Great Leaders Inspire Action" by Simon Sinek
  http://www.ted.com/talks/simon_sinek_how_great_leaders_inspire_action?language=en

Related Policies and Documents:
☐ Public Relations *(including Social Media)*
☐ Website

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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 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, the *"Friends"* have a separate corporate existence. They should have a separate federal tax exemption and their funds should not be mingled with the library's operating funds. Depending on local needs, *Friends of the Library* do many things:

- 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 may use funds they have raised, within the Grassroots Lobbying limits set by the IRS. (http://www.irs.gov/pub/irs-tege/eotopicp97.pdf.) They 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 (a sample operating agreement is available from United for Libraries: http://www.ala.org/united/friends/orgtools);
- 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;
- Ensure that the members of the Friends are routinely shown sincere appreciation for their efforts.

More information on library Friends groups is available through the American Library Association's *United for Libraries* (http://www.ala.org/united/). Information on New York Library Association Friends of Libraries Section is available at: www.nyla.org/max/4DCGI/cms/review.html?Action=CMS_Document&DocID=144&MenuKey=fls

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. For more information visit the United for Libraries website (http://www.ala.org/united/foundations/orgtools).

Resources:

- Dolnick, Sandy. *Essential Friends of Libraries: Fast Facts, Forms, and Tips*. American Library Association, 2004.

- Friends & Foundations Fact Sheets [United for Libraries]
http://www.ala.org/united/friends/factsheets

- Friends of Libraries Section (FLS) [New York Library Association]
http://nyla.org/max/4DCGI/cms/review.html?Action=CMS_Document&DocID=144&MenuKey=fls

- Libraries Need Friends: Starting a Friends Group or Revitalizing the One You Have [United for Libraries]
http://ala.org/united/sites/ala.org.united/files/content/friendszone/toolkits/libraries-need-friends-1.pdf

- Sample Operating Agreement between the Friends and Library [United for Libraries]
http://www.ala.org/united/friends/orgtools

Related Policies and Documents:

☐ Friends Group Memo of Understanding

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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 Constitution of the United States of America 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 policies to guide the selection of materials. This policy should reflect the principles of the American Library Association's *Library Bill of Rights*, found in the Appendices, and *Freedom to Read Statement:* *http://www.ala.org/advocacy/intfreedom/statementspols/freedomreadstatement*.

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 billions 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 <u>every</u> library adopt a carefully considered and judiciously written policy statement tailored to the library's own community (Education Law §260 (12). 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 (Civil Practice Law and Rules (CPLR) § 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. The library should have a Law Enforcement Inquiry policy to ensure compliance with the state law on patron confidentiality (guidance is available at: http://midhudson.org/topics/director-resources/policies/policies-external/. Additional sources on intellectual freedom and privacy issues can be found through ALA at: http://www.ala.org/groups/committees/ala/ala-if and: http://www.ala.org/groups/ifc-privacy-subcommittee.

A standardized procedure to handle patron complaints must be a component 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 (http://www.ala.org/advocacy/intfreedom/) and the New York Library Association.

Resources:

- Intellectual Freedom and Censorship Q&A [American Library Association]
  http://www.ala.org/advocacy/intfreedom/censorshipfirstamendmentissues/ifcensorshipqanda

- Intellectual Freedom Manual [New York Library Association]
  http://www.nyla.org/max/4DCGI/cms/review.html?Action=CMS_Document&DocID=860&MenuKey=membership

- Law Enforcement Inquiry Policy Samples [Mid-Hudson Library System]
  http://midhudson.org/topics/director-resources/policies/policies-external/

- Library Bill of Rights [American Library Association]
  http://www.ala.org/advocacy/intfreedom/librarybill

- Office for Intellectual Freedom [American Library Association]
  http://www.ala.org/offices/oif

- Privacy Toolkit [American Library Association]
  http://www.ala.org/advocacy/privacyconfidentiality/toolkitsprivacy/privacy

Related Policies and Documents:

- ☐ ALA Library Bill of Rights
- ☐ Challenge of Library Materials
- ☐ Collection Development
- ☐ Copier/Copyright
- ☐ Exhibit/Posting
- ☐ Freedom to Read (ALA)
- ☐ Freedom to View (ALA)
- ☐ Fundraising/Gift Policy
- ☐ Law Enforcement Inquiry
- ☐ Lending Rules (including Non-Resident Borrowing)
- ☐ Local History
- ☐ Meeting Space/Equipment
- ☐ Patron Behavior/Code of Conduct
- ☐ Patron Complaints
- ☐ Patron Confidentiality
- ☐ Programming
- ☐ Weeding

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BOARD DEVELOPMENT

Library boards are groups of volunteers working together to create a quality public library to meet the needs of their community. The board needs to deliberately develop itself into a dynamic, high-performing group through education, self-assessment and active recruitment. Your community deserves no less.

Trustee Education

Trustees must learn and grow during their entire 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.

Though the first critical step in the learning process is the orientation of a new trustee, 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 webinar, 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.

Trustees should seek out educational opportunities through their director from their public library system. Understanding the context in which your library operates and reviewing the roles and responsibilities of trustees, while having the opportunity to network with other trustees regionally, will greatly enhance your value as a local library trustee.

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 this Handbook. 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. The New York State Library has a number of webinars focused specifically on trustee issues (http://www.nysl.nysed.gov/libdev/webinars).

In addition to statewide organizations such as the Library Trustees Association of New York State (LTA), the New York Library Association (NYLA) and regional public library system support, many American Library Association divisions such as the Public Library Association and Library Leadership and Management Association, as well as United for Libraries, offer extensive resources for trustee education.

Outside the library field there are many organizations concerned with non-profit administration and management. BoardSource (BoardSource.org) and the National Council on Nonprofits (CouncilofNonprofits.org) are especially helpful and complement the governance of library organizations.

Workshops, conferences and webinars 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 New York Library Association 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, United for Libraries 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 and demonstrates good stewardship of the organization by the board.

Board Evaluation

A healthy board will make the time to evaluate their own performance. This is an opportunity, just as the evaluation of the library director's performance is an opportunity, to celebrate what is going well and to find ways to course correct when something could be going better. The board should evaluate themselves against the duties and responsibilities found in this Handbook as well as the library's charter, bylaws, policies and procedures and strategic plans. Is the board moving the library forward? Are board operations streamlined? Is there additional education or support trustees need to feel confident and comfortable in their roles as public library trustees? There are sample board evaluation tools available in the *Resources* section at the end of this Chapter.

Recruitment of Trustees

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 underline essential that board composition reflect the ethnic, racial, and cultural diversity of the community. A clear, generic trustee job description (such as found in the earlier chapter on **Trustee Duties and Responsibilities**) 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 them 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.

Resources:

- American Library Association ALA.org

- BoardSource BoardSource.org

- "Evaluating the State of the Library – Board Effectiveness" [Mid-Hudson Library System] http://midhudson.org/topics/trustees/atb-evaluating-the-library-2/

- "Library Board Self Evaluation" [Oak Park Public Library] http://oppl.org/about/policies/library-board-self-evaluation & "Library Board Self Evaluation Form" [Oak Park Public Library] http://oppl.org/about/policies/library-board-self-evaluation-form

- Library Trustees Association of New York State (LTA) LibraryTrustees.org

- National Council on Nonprofits CouncilofNonprofits.org

- New York Library Association NYLA.org

- New York Library Trustees Online (NYLTO) http://www.nylto.org/

- WebJunction [OCLC] WebJunction.org

Related Policies and Documents:

□ Continuing Education

CONCLUSION

Libraries are essential to our citizens, to our communities and to our democracy. The local public library is a focal point for intellectual curiosity and learning in every New York community. It enhances the quality of community life while providing a path to success for many. As the most credible public institution in America today, it can be a critical leader in finding community-based solutions to local issues.

The American public library works because of dedicated volunteers willing to serve on the board of trustees. We thank you for your service and your dedication to ensuring all New Yorkers are empowered, engaged and energized by their library. The world is a better place for your efforts.

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APPENDICES

Types of Libraries: A Comparison

	ASSOCIATION LIBRARIES	PUBLIC LIBRARIES		
		Municipal Public Library	School District Public Library	Special District Public Library
How Established	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.*
Charter	Regents incorporate by charter.	Regents incorporate by charter.	Regents incorporate by charter.	Regents incorporate by charter.
Registration	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.
Tax Funds	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.
Bonding Authority	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. Library may bond via special legislation with the Dormitory Authority of the State of New York if it owns the building.	A municipality may bond on behalf of district if legislation allows.*

	ASSOCIATION LIBRARIES	Municipal Public Library	School District Public Library	Special District Public Library
Board of Trustees	Number: 5-25. Elected by association members. Term of office: set by charter. Responsible to association membership and to Regents. Residential requirements may be established in bylaws.	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).	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	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.
Community Involvement	Public can join association and may vote for trustees.	Public "owns" library; votes for elected officials who are sympathetic to library needs.	Public "owns" library and votes directly for trustees and budget..	Public "owns" library and votes directly for trustees and budget..
Retirement Benefits	May purchase retirement benefits from private vendor. Some may be in State Retirement System if specified in statute.	State Retirement System benefits through municipality..	State Retirement System benefits through school district or independently	State Retirement System benefits if library district opts to participate.
Civil Service	Employees not covered by Civil Service.	Employees subject to Civil Service Law	Employees subject to Civil Service Law.	Employees subject to Civil Service Law

Types of Libraries – A Comparison

http://www.nysl.nysed.gov/libdev/libs/pltypes.pdf

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.

A history of the Library Bill of Rights is found in the latest edition of the Intellectual Freedom Manual.
www.ala.org/advocacy/intfreedom/iftoolkits/ifmanual/intellectual

Although the Articles of the Library Bill of Rights are unambiguous statements of basic principles that should govern the service of all libraries, questions do arise concerning application of these principles to specific library practices. See the documents designated by the Intellectual Freedom Committee as Interpretations of the Library Bill of Rights. www.ala.org/advocacy/intfreedom/librarybill/interpretations

SAMPLE BYLAWS

The material below is presented for illustrative purposes only. Each library should adapt their bylaws to suit their particular needs and circumstances. Bylaws must align with the library's charter and enabling legislation (if applicable). These bylaws 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 bylaws.

BYLAWS

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. The Board may remove a Trustee for misconduct, incapacity, neglect of duty or refusal to carry into effect the library's educational purpose as provided in Education Law 226; subdivision 8.

g. Each Trustee shall have one vote, irrespective of office held.

h. A Trustee must be present at a meeting to have his/her vote   counted.

i. 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** (*Many public libraries must appoint an independent Treasurer who is not a member of the Board. See chapter on Board Organization.*) 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.   Call to Order and roll call of members
    ii.   Pledge of Allegiance
    iii. Adoption of Agenda
    iv.   Approval of prior Meeting Minutes
    v.   Period for public expression
    vi.   Correspondence
    vii. Personnel Actions Report
    viii. Treasurer's report
          - Report of receipts and disbursements
          - Warrants
          - Presentation of projected cash flow
    ix.   Director's and Department Heads' reports
    x.   Committee Reports
    xi.   Old Business
    xii. New Business
    xiii. Period for public expression
    xiv. Dates of future board meetings
    xv.   Other Business
    xvi. Adjournment

9. **AMENDMENTS**

a. Amendments to these Bylaws 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 Bylaws 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:_____ .

Creating the Future: a 2020 Vision and Plan for Library Service in New York State

Excerpts Relating to Public Libraries

Introduction

In April 2010, the New York State Board of Regents challenged the library community to rethink the State's vast array of library services to ensure that they are aligned with modern expectations and the expanded functions needed in today's society, operate with improved efficiency, and are prepared for the future as an essential and vibrant part of the State's educational infrastructure.

Working through the Regents Advisory Council, library users, trustees, and staff have spoken out with regard to their libraries, offering not only affirmation of the importance of libraries, but also numerous suggestions for progress and models of success.

Libraries – An Investment in Our Future

Libraries provide the physical and virtual spaces that are an integral part of an overarching system that provides continuous opportunities for learning from birth to senior age. By offering all New Yorkers the opportunity to acquire the knowledge they need to be informed and engaged participants in an open democracy, libraries empower individuals. Library "profit" is demonstrated through both the promotion of economic enterprise and the social return on investment.

Libraries continue to undergo tremendous transition as they move to virtual services in response to changes in technology and the expectations of their patrons, and as they facilitate not only the use of existing information, but also production of new information through online communities and efforts to preserve local history.

One significant change is the increasing convergence among traditionally different types of libraries in the services they offer. Such convergence includes online access to digital resources, the re-tasking of library space, the need for staff skilled in virtual librarianship and collaborative learning, as well as more customary types of service.

Because of the continuing centrality, complexity and diversity of today's knowledge creation and information distribution environments, it is important that our students and residents be equipped with both print and digital literacy skills -- how to find, evaluate, and effectively use information from a variety of sources and formats. Literacy – and in particular digital literacy -- lies at the heart of the mission of all libraries.

Regardless of the many levels of technological change, libraries remain the embodiment of Americans' "right to educate themselves," a critical necessity in a knowledge economy where everyone must relentlessly improve their skills throughout their lifetime. The library is what makes lifelong learning for all residents both possible and

practical, including, and perhaps especially, for those with special challenges such as the disabled, homeless and economically disadvantaged. People unable to respond to new challenges and invest in their own abilities are likely to become an economic liability, unable to participate fully in society.

Libraries continue to represent a community investment in a vision of a better tomorrow through sharing information, knowledge and, hopefully, wisdom. They are the repositories for the collective memory of our communities, our state, and our nation, and offer us an institution that reflects the American dream of self-help and equity.

Today's libraries are busier and more vibrant than ever because of, not in spite of, the dramatic impact of digital technology. But even though they have a well established and well respected brand, libraries suffer from outdated public attitudes based on misperceptions that are limited to their traditional roles, stereotypes and the constant assault of competing commercial information providers.

Universal Recommendations – For All Libraries

The themes of Access, Information Literacy and Sustainability are woven through all libraries in our state and nation. Though each serves its unique community, all share these values.

Models for Success:

Over six decades ago the State of New York outlined its vision for universal access to information for all residents through its creation of library systems. This remarkably successful model has evolved to embrace nearly all the libraries within our state, creating a framework and foundation for the fulfillment of this dream. The notion that any and every child or adult may follow their curiosity to its fullest extent, accessing resources from around the world, is today a reality for most, but not all, of our state's residents. Vibrant libraries of all types, enjoying the robust support of their community or constituency and working in partnership with their library system and its collaborative systems are able to bring these resources into their communities. We have the potential to fulfill this vision for all.

Recommendations:

To assure that tomorrow's libraries continue to be a vibrant and vital part of all New Yorkers' lifelong learning experience, all libraries must:

- Improve the marketing of library services to all clientele and communities by rebranding libraries while addressing the erroneous perceptions about the need for libraries in a digital world. (1)
- Develop better tools for advocacy, and identify library champions at all levels of governance: university and school boards, town and city management, State Education Department, Board of Regents, New York State Legislature and Executive branch. (2)

- Collaborate to integrate services and collections of all types of libraries while developing a transparent and seamless world of library services that are ubiquitous and instantaneous, yet personalized and flexible, serving all ages and needs. (3)

- Seek operational and cost efficiencies in light of technological opportunities, energy efficient facilities, and online service delivery methods. (4)

- Develop economic justifications for the investments that governments, communities, individuals and philanthropic organizations are asked to make in libraries, and enhance the role of libraries as economic drivers for their communities. (5)

- Recruit technologically savvy staff and train current staff in virtual librarianship while influencing higher education to appropriately educate tomorrow's service providers. (6)

- Function at the front lines of e-resources (including e-books) purchasing, licensing, digital rights management, digital curation, resource-sharing, and preservation; and advocate for the delivery of open content as embodied in initiatives such as the Digital Public Library of America or the Berlin Declaration on Open Access to Knowledge in the Sciences and Humanities. (7)

- Actively address issues concerning the privatization of information and its impact on traditional models of library services, defending residents' rights to free access, free lending and the inter-sharing of materials among libraries. (8)

- Create collaborative partnerships with all cultural and educational organizations in the state to offer our residents the most comprehensive educational opportunities available anywhere in the world. (9)

Public Libraries

Public libraries provide services that cannot be replicated elsewhere. They provide residents the right to free and equal access to information, a right now under duress with the development of commercial information services. Some of these commercial services are free but of questionable quality; others of high quality but high price; and others are comprised of collections that are no longer owned, but rented. Libraries provide a guide through such a maze of misinformation for the average citizen. They are a beginning point for early childhood literacy, a center for each community's history and culture, a key to the American dream for immigrants, and much more. The public values its libraries as a meeting place, a community center, and a learning place. Residents desire more business hours; more traditional resources such as children's programs and print books; and more e-resources such as electronic books.

Public libraries are also digital knowledge centers for communities, ensuring residents' equal access to technology. This is especially true as the state transitions to e-government and many residents do not have access to the computers and broadband connectivity. In many areas, especially rural areas, the public library is the only source of broadband internet connectivity for the entire community.

The quality of public library service remains unequal across the state. Reasons for this include community wealth, legal structure and lack of political support.

Models for Success:

Public libraries reflect the highest ideals of the communities they serve. The best public libraries are places where the love of learning is instilled at the youngest age and intellectual curiosity encouraged for all. They provide a path to navigate life's challenges and help new Americans assimilate. As community centers they actively encourage civic engagement and cultural awareness while remembering the past by the preservation of community history. They actively strive to provide access to their facilities and their resources to all residents, especially for those who are physically or mentally disabled, economically disadvantaged or otherwise facing unique challenges in today's competitive world. Their success is grounded in their basis as a truly democratic institution, governed and supported by the people they serve.

Recommendations:

The Board of Regents and State Education Department should formulate policy and support initiatives that will encourage:

- The further proliferation of the Regents' Public Library District Model to enable all public libraries to become fully funded and governed through citizen participation and public vote. (23)
- All public libraries to proactively create and collect local content and serve as a catalyst for civic engagement to promote civil discourse and confront society's most difficult problems. (24)
- Collaboration with other libraries and community organizations to develop seamless information literacy initiatives, promote cultural understanding and protect local historical and cultural treasures. (25)
- Support state and national digital literacy learning initiatives providing this 21st century skill to people of all walks of life, not just those enrolled in schools and colleges. (26)
- The provision of robust early childhood education programs and the provision of homework assistance as a core service; the alignment of outreach services with societal priorities, such as teen services and gang prevention. (27)
- The provision of full access to library services by people with disabilities, including accessible buildings, homebound services, and assistive technology. (28)
- Investment in public library facilities in order to be able to respond to the changing needs of communities -- rewiring of older buildings, creation of larger meeting spaces and small meeting rooms, flexible storage solutions so that libraries can adjust as print to e-format ratios change and energy efficiency improvements to keep operating costs down. (29)

The full Report may be found at:
http://www.nysl.nysed.gov/libdev/adviscns/rac/2020final/index.html

Public Library Trustee Ethics Statement

Official Statement from United for Libraries

Public library Trustees are accountable for the resources of the library as well as to see that the library provides the best possible service to its community.

Every Trustee makes a personal commitment to contribute the time and energy to faithfully carry out his/her duties and responsibilities effectively and with absolute truth, honor and integrity.

- Trustees shall respect the opinions of their colleagues and not be critical or disrespectful when they disagree or oppose a viewpoint different than their own.

- Trustees shall comply with all the laws, rules and regulations that apply to them and to their library.

- Trustees, in fulfilling their responsibilities, shall not be swayed by partisan interests, public pressure or fear of criticism.

- Trustees shall not engage in discrimination of any kind and shall uphold library patrons' rights to privacy in the use of library resources.

- Trustees must distinguish clearly in their actions and statements between their personal philosophies and attitudes and those of the library, acknowledging and supporting the formal position of the Board even if they disagree.

- Trustees must respect the confidential nature of library business and not disclose such information to anyone. Trustees must also be aware of and in compliance with Freedom of Information laws.

- Trustees must avoid situations in which personal interests might be served or financial benefits gained as a result of their position or access to privileged library information, for either themselves or others.

- A Trustee shall immediately disqualify him/herself whenever the appearance of a conflict of interest exists.

- Trustees shall not use their position to gain unwarranted privileges or advantages for themselves or others from the library or from those who do business with the library.

- Trustees shall not interfere with the management responsibilities of the director or the supervision of library staff.

- Trustees shall support the efforts of librarians in resisting censorship of library materials by groups or individuals.

Signature _____ Date_____

Approved by the United for Libraries Board in January 2012

Downloadable version:
http://ala.org/united/sites/ala.org.united/files/content/trustees/orgtools/Ethics%20Statement.pdf

Working Together:
Roles & Responsibilities Guidelines

	Library Director	Trustees	Friends
General Administrative	Direct responsibility for administration of the library within the framework of the board's plan, policies and budget. Reports at each board meeting and in other ways keeps the board informed of library's progress and problems.	Recruit and employ a qualified library director; maintain an ongoing evaluation process for the director. Routinely keep in touch with what is going on through director's reports, personal use of the library and feedback from the public.	Support quality library service in the community through fundraising, volunteerism and serving as advocates for the library.
Policy	Apprise board of need for new policies as well as policy revisions. Implement the policies of the library as adopted by the board.	Identify and adopt written policies to govern the internal and external operations of the library.	Support the policies of the library as adopted by the library board.
Planning	Coordinate and implement a strategic plan with library board, Friends, staff and community.	Ensure that the library has a strategic plan with implementation and evaluation components.	Provide input into the library's strategic plan and support its implementation.
Fiscal	Prepare an annual budget for the library in consultation with the board; make the Friends aware of the special financial needs of the library. Decide on use of money on the basis of the approved budget.	Secure adequate funds to carry out library operations. Assist in the preparation and presentation of the annual budget. Authorize expenditures in accordance with the budget.	Conduct fundraising to support the library's mission and plans.

	Library Director	Trustees	Friends
Advocacy	Promote the mission of the library within the community. Educate the library board, Friends and community regarding local, state and federal issues that impact the library.	Promote the mission of the library within the community and in society in general.	Promote the mission of the library within the community. Advocate for the library to legislators.
Meetings	Participate in library board and Friends meetings. Ensure that there is a liaison from the board to the Friends and vice versa.	Participate in all board meetings. Follow Open Meetings Law. Appoint a liaison to the Friends Board and become a member of the Friends.	Maintain a liaison to the library board.
Networking	Encourage trustees and Friends to join state and national professional organizations and make them aware of educational opportunities.	Join the New York Library Association, Library Trustees Association of New York and United for Libraries (ALA). Attend continuing education sessions at the public library system.	Join Empire Friends and United for Libraries (ALA). Attend continuing education sessions at the public library system.

Adapted from **Working Together: Roles and Responsibilities Guidelines** *developed by the Connecticut State Library, Connecticut Library Association, Association of Connecticut Library Boards, and Friends of Connecticut Libraries and the* **Handbook for New Public Library Directors in New York State.**

Civil Service 101 for Public Library Trustees

Three of the four types of public libraries fall under New York State Civil Service Law:
- Municipal Public Libraries
- School District Public Libraries
- Special Legislative District Public Libraries
  Association libraries do not fall under Civil Service Law

What is Civil Service?

Civil Service governs the hiring, promotion and firing of employees. Under New York State Civil Service Law, "appointments and promotions… shall be made according to merit and fitness to be ascertained, as far as practicable, by examination which, as far as practicable, shall be competitive…"

What is the point of Civil Service?
- Test for merit and fitness in an objective way.
- Encourage promotion from within.
- Provide career ladders for employees.

Who administers Civil Service?
Civil Service is administered by "commissions" that are geographically located throughout New York State. Each commission has authority over those practices of institutions within its service area. The commissions are commonly county based, in larger cities there may be a Civil Service Commission specific to that city.

If the board is hiring a new library director, do Civil Service practices need to be followed?
Yes.

Does Civil Service dictate the salary we must pay a new director?
No.

How is a new director appointed?
Boards will need to reach out to their local Civil Service Commission to discuss the process. This position will fall into the competitive class. Your process will likely follow the following pattern:
- Candidates must meet the minimum qualifications for the position.
- Candidates must receive a passing score and be reachable* on an eligible list. (*See "Rule of Three" below).
- Candidates that are reachable must respond positively to a canvass letter.

- The board must select a new director from the pool of available candidates identified through the canvassing process. The board should use an interview process and use any legal selection criteria amongst those deemed eligible to make their selection.
- Once a selection has been made, the candidate of choice must be appointed "from the list."
- The person selected must complete a probationary period. The length of this probationary period is determined by the local Civil Service Commission.

Can we appoint an interim director while conducting a search for a new director?
Yes, it is possible for an interim director to be named through the temporary hire option. Please contact your local Civil Service Commission for their temporary hire process.

Is there a residency requirement for candidates to be eligible?
Possibly. You will need to check with your local Civil Service Commission.

What is the "Rule of Three"?
This is actually referred to as the "Rule of One of Three," and means that you may choose to appoint any one of the three candidates certified by the local Civil Service Commission as "standing highest on such eligible list and who are willing to accept the appointment." To fully understand the "rule of three", it is necessary to understand Zone Scoring. When eligible lists are established, grades will be presented in zones. Final scores will be round numbers such as 100, 95, 90, etc. This scoring method creates a significant number of tie scores. Every candidate within the same zone has equal standing on the eligible list. Zone Scoring in no way alters the Rule of Three; appointing authorities must still select from among the three highest scoring candidates, and not the three highest scores. Please contact your local Civil Service Commission for questions about implementing the Rule of Three.

What do we do if there is no eligible list to hire a new director from?
Your first step would be to contact your local Civil Service Commission to find out when the next test will be offered to gauge the timeframe for your process.
- **If a test will be offered within an acceptable time span to meet your needs**, advertise the test opportunity along with your job opening to encourage candidates to become eligible.

- **If a test will not be offered within an acceptable time span** you can provisionally appoint a candidate of your choice with the understanding that once the test is offered this person must take the test and score high enough to be reachable to keep their job.

What questions are asked on the exam for library directors?
The exam for directors is not a traditional "exam" as you may envision it. It is called a "training and experience" exam, or "T&E" exam, and is basically a form that asks questions about a candidate's education and experience relevant to the job specifications.

What job protections are offered to employees under Civil Service Law in New York?
Section 75 of the Civil Service Law provides due process in removal and other disciplinary actions to every post-probationary permanent employee. Due process will include a hearing at which the employee must be proved guilty of misconduct or incompetence. Library collective bargaining agreements may modify these procedures.

For more information:
- "*A Librarian's Guide to Civil Service in New York State*," a publication of the New York Library Association's Leadership & Management Section (LAMS): http://www.nyla.org/max/userfiles/uploads/Guide%20to%20Civil%20Service.pdf

- New York State Department of Civil Service https://www.cs.ny.gov/commission/

*Thanks to **Tracey McShane**, Personnel Administrator for the Bethlehem Public Library & **Geoffrey Kirkpatrick**, Director of the Bethlehem Public Library and Chair of the New York Library Association Taskforce on Civil Service for their assistance on this topic.*

Sample Planning Process Outline

This 5-step planning process helps a board identify long-range and strategic goals based on community needs.

1. Develop a board vision. Have a frank conversation at a special planning meeting to discuss your hopes, dreams and concerns for the future of the library. Understanding where everyone is coming from and finding the commonalities amongst yourselves will help as you move forward in this process. The next steps in the process will help test the board's perceptions and create a unified board vision; but if you don't have this conversation first, it will be difficult to work as a group once the findings are in.

2. Assessment. Identify local usage trends through library circulation, program and technology usage data. Are there things the community is looking for that you are not or unable to provide at this time? Are there things the community clearly wants more of? Less of? Comparing the library to others with similar budgets or service populations can be a useful planning activity as well. The New York State Library provides a compilation of financial and service statistics through its website at: 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.

3. Gather input from your community. _Talk to your community_. Do not skip this step, it is critical to the future success of your library. Use a combination of focus groups, surveys and interviews with community opinion leaders to get a broad amount of input, from both library users and non-users, which will help the board to identify community trends, aspirations and priorities. 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. The library director or library system will be able to offer strategies for the effective use of focus groups and community surveys.

- Your library may also find the American Library Association's Libraries Transforming Communities initiative (http://www.ala.org/transforminglibraries/libraries-transforming-communities) a good fit for your community.

- Examples of community surveys can be found on the website of the Mid-Hudson Library System: http://midhudson.org/topics/trustees/#Planning

4. **Analyze what you have learned.** Identify the library's strengths, weaknesses, opportunities and threats.

5. **Assess your library's capacity to move forward** in the areas of:

- Personnel
- Finance
- Facility
- Policy
- Partnerships
- Governance
- Marketing & Public Relations
- Measurement & Evaluation

Through these five steps your board and staff will have the information you need to create and write a solid plan for the future of the library.

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Recommended Policies Checklist:

External

Circulation
- ☐ Customer Service
- ☐ Patron Confidentiality
  - ○ Law Enforcement Inquiry
- ☐ Lending Rules
  - ○ Non-Resident Borrowing

Collection
- ☐ Collection Development
  - ○ Weeding
- ☐ Censorship:
  - ○ Challenge of Library Materials
  - ○ Freedom to Read (ALA)
  - ○ Freedom to View (ALA)
- ☐ Copier/Copyright
- ☐ Local History

Public Space
- ☐ Accessibility/ADA Statement
- ☐ Exhibit/Posting
- ☐ Incident Report Form
- ☐ Meeting Space/Equipment
- ☐ Patron Behavior/Code of Conduct
- ☐ Patron Complaints
- ☐ Programming
- ☐ Tutoring
- ☐ Unattended Children
- ☐ Vulnerable Adults

Technology
- ☐ Library Equipment Usage:
  - ○ Computers
  - ○ Printers
  - ○ Devices
  - ○ 3D Printer
- ☐ Internet Use
- ☐ Wireless Use
- ☐ Website

Internal:

Board
- ☐ Code of Ethics/Conduct
- ☐ Conflict of Interest
- ☐ Continuing Education
- ☐ Meeting Procedures
  - ○ Public Expression
- ☐ Removal of a Trustee

Administrative
- ☐ Business Continuity Plan
- ☐ Inclement Weather/Closing
- ☐ Public Access to Records (FOIL)
- ☐ Public Relations (including Social Media)
- ☐ Records Retention

Financial Controls
- ☐ Audit/Review Schedule
- ☐ Claims Audit Process
- ☐ Credit Card
- ☐ Disposition of Surplus Property
- ☐ Friends Group Memo of Understanding
- ☐ Fund Balance & Reserve Funds
- ☐ Fundraising/Gift
- ☐ Investments
- ☐ Inventory/Fixed Assets
- ☐ Online Banking & Wire Transfers
- ☐ Petty Cash
- ☐ Purchasing/Procurement
- ☐ Travel & Conference

Personnel
- ☐ Attendance/Leave
- ☐ Code of Conduct

☐ Computer/Internet/Email/Social Media Use

☐ Continuing Education

☐ Discipline/Termination

☐ Equal Employment Opportunity

☐ Evaluation Procedure

☐ Grievance Procedure

☐ Harassment

☐ Jury Duty

☐ Nepotism

☐ Orientation

☐ Outside Employment

☐ Personnel Records Access

☐ Probationary Period

☐ Recruitment/Hiring

☐ Salary/Benefits

☐ Volunteers

☐ Whistleblower Protection

Safety

☐ Emergency Plan

    o Disaster Recovery

    o Active Shooter Procedures

☐ Fire Safety

☐ Workplace Safety

This Policy Checklist is offered as a guideline of typical public library policies. Though terminology may vary, every library board is required to adopt appropriate policies for their institution (8 NYCRR § 90.2).

For helpful information on developing policies, libraries are encouraged to contact their public library system.

In addition:

- Library Trustees Association of New York State: Policy Database
  http://librarytrustees.org/policies.php

- Mid-Hudson Library System: Public Library Policies - Development Tips & Samples
  http://midhudson.org/topics/director-resources/policies/

- New York Library Association: Sample Policies
  http://www.nyla.org/max/4DCGI/cms/review.html?Action=CMS_Document&DocID=29&MenuKey=career

- New York Library Trustees Online: Library Policies *(Obtain login through public library system.)*
  http://www.nylto.org/course/index.php?categoryid=3

Public Library Glossary

This glossary presents a brief list of words and acronyms commonly used in public libraries in New York State.

3 R's: New York's nine Reference and Research Library Resources Systems.

Chapter 414 of the Laws of 1995: (municipal ballot option): State law that allows for voter funding initiatives for both association and public libraries. [Education Law §259 (1)(b)].

Chapter 917 of the Laws of 1990: State legislation providing for changes to Education Law provisions regarding State funding for libraries and library systems.

ADA (Americans with Disabilities Act): The ADA is 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. [Americans with Disabilities Act of 1990, Pub. L. No. 101-336]

ALA: American Library Association.

BIBFRAME (Bibliographic Framework): This is a data model for bibliographic description designed to replace the MARC standard.

BOCES: Boards of Cooperative Education Services.

Broadband: A general term referring to high speed telecommunications connections regardless of the medium (fiber optic, wire, cable or wireless) utilized.

CBA: Central (Library) Book Aid.

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. [Children's Internet Protection Act of 2000, Pub. L. No. 106-554]

Circulation: The process of lending library materials.

DLD (Division of Library Development): DLD is the division of the New York State Library within the State Education Department responsible for the oversight of library funding and compliance with related State laws and Commissioner's Regulations.

DPLA: Digital Public Library of America.

DRM (Digital Rights Management): DRM technology is used by hardware and software manufacturers, publishers and copyright holders with the intent to control the use of digital content and devices.

e-book: The electronic version of a print book or a book that is only available online.

Education Law 259.1: State law that determines tax support for libraries.

E-Rate: Federal program that provides discounts to libraries and schools for commercially available telecommunications services, Internet connectivity and internal connections.

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

Friends of Libraries Section (FLS): Section of the New York Library Association that supports library Friends Groups.

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.

ILS (Integrated Library System) / ILP (Integrated Library Platform): Integrated library (automation) systems provide libraries with a variety of integrated computerized functions – cataloging, circulation, online catalog, acquisitions, serials control and electronic resource management.

ISBN: International Standard Book Number.

ISSN: International Standard Serial Number.

LC (Library of Congress): The national library of the United States.

LTA (Library Trustees Association of New York State): New York's statewide association for library boards and trustees.

LLSA (Local Library Services Aid): The New York State aid program for local public libraries. Funds are distributed through the public library systems.

LSTA (Library Services and Technology Act): A long standing federal library aid program for libraries. Funds are used to support national initiatives through support of state programs and grants 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.

National Library Service for the Blind and Physically Handicapped (NLS): A federal program through the Library of Congress that provides recorded digital books for the blind and those with physical disabilities.

NOVELNY (New York Online Virtual Electronic Library): A statewide program of the New York State Library that provides free public access to commercial databases and other electronic resources.

NY3Rs: State organization for the Reference and Research Library Resources Councils, dedicated to promote cooperation and development among the state's academic and special libraries.

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

NYALS (New York Alliance of Library Systems): A coalition of public, school and 3Rs Systems in New York.

NYLINE: New York's Libraries Information Network listserv operated by the New York State Library. All are welcomed to join: http://www.nysl.nysed.gov/libdev/nyline.htm

NYLTO: New York Libraries Trustees Online.

NYSL: New York State Library.

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

OGS (Office of General Services (NYS): Administers state procurement contracts for goods, services and technology.

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.

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

PLS: Public Library System or Public Library Section of the New York Library Association.

Provisional Charter: The initial incorporation document granted to a public library by the Board of Regents. Provisional charters are issued for five years. A library with a provisional charter may apply for an absolute (permanent) charter after meeting state standards and fulfilling registration requirements.

PULISDO (Public Library System Directors Organization of New York State): The statewide association of Public Library System Directors.

RBDB (Regional Bibliographic Data Bases Program): State funds that may be used for a variety of purposes to benefit regional resource sharing technology in each NY3Rs region.

RAC (Regents Advisory Council): A standing advisory committee appointed by the Regents to review and advise the Board of Regents on library issues and concerns.

RFID (Radio-frequency Identification): A technology used to automate the handling of library materials.

Registration: The process by which libraries demonstrate compliance with Commissioner's Regulation 90.2. (Minimum Standards). A library must maintain its registration to collect local and state funds.

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

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, Inc.): The statewide organization for School Library Systems.

STEM: Science, Technology, Engineering & Math (aka STEAM: science, technology, engineering, art & math).

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.

United For Libraries: A division of the American Library Association that provides support and networking for Library Trustees, Advocates, Friends and Foundations.

Unserved Area: Refers to regions of the state without a chartered and registered public library.

USA PATRIOT ACT / USA FREEDOM ACT: Federal legislation that, among many other provisions, governs access to library records in certain circumstances by law enforcement agencies.

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Map of Public Library Systems in New York State
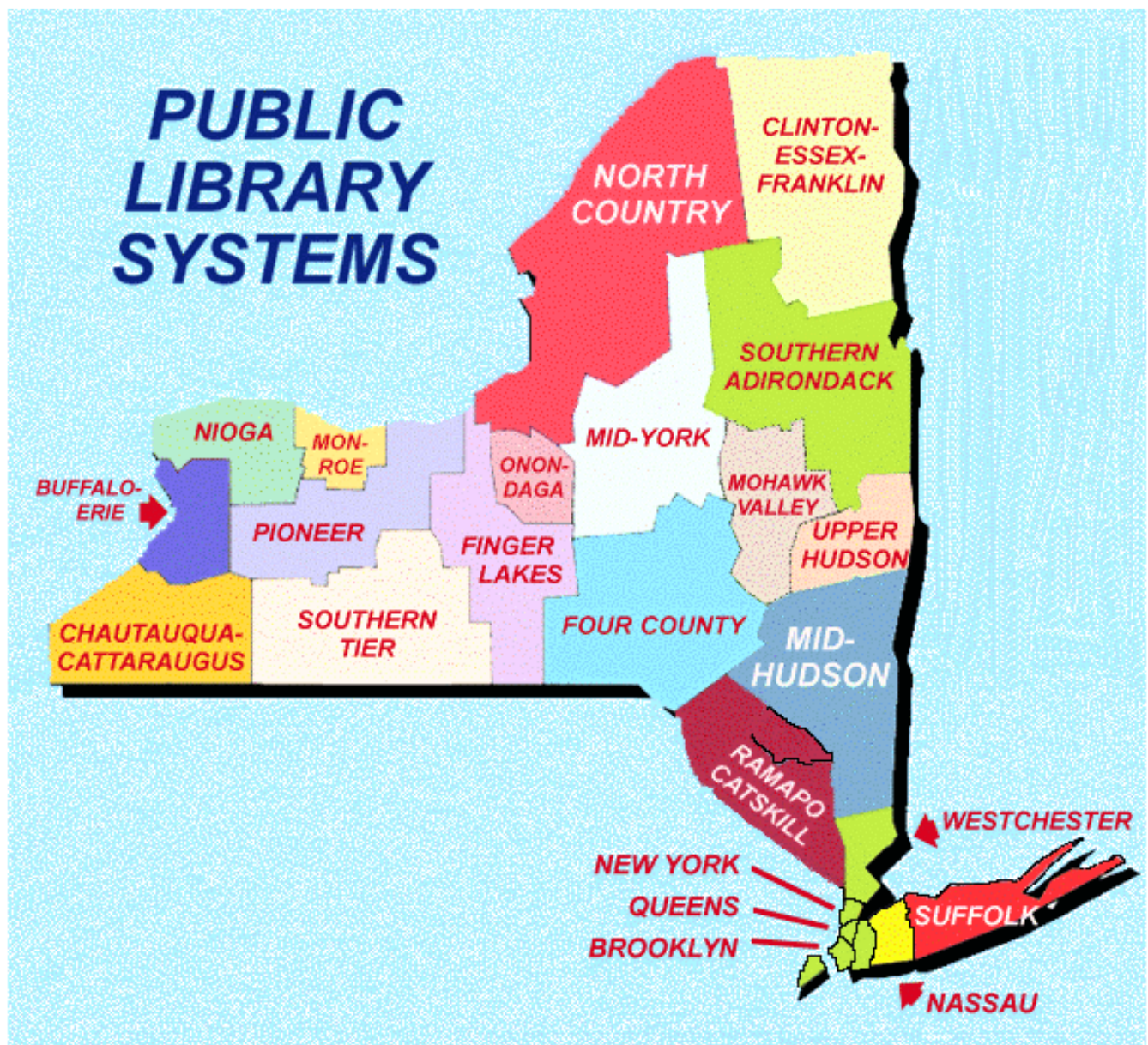
[Source: New York State Library, nysl.nysed.gov/libdev/libs/publibs/1pls.htm]