

4. LIBRARY BOARD PROCEDURES

4.1. It is the role of the library board as a unit to...

- 4.1.1. work together to set goals and objectives, develop policies, cope problems relative to the responsibilities of the trustees and perform effectively;
- 4.1.2. serve as advocates for the library service and supporters of the library;
- 4.1.3. use knowledge of the community and its parts in setting goals, selecting a library director and evaluating the library;
- 4.1.4. take on the job of developing public awareness about the library;
- 4.1.5. adhere to all laws and regulations;
- 4.1.6. be sure that the library has excellence in its library director;
- 4.1.7. work toward adequate and stable funding for the library; and
- 4.1.8. seek information on libraries and trusteeship and improve the board's performance and record.

4.2. It is the role of the individual trustee to...

- 4.2.1. give the time and energy which the job requires;
- 4.2.2. prepare for each board meeting by reading and studying materials to be covered by the agenda;
- 4.2.3. ask questions of board member or the librarian;
- 4.2.4. represent the entire community while utilizing knowledge of that part of the community from which he or she comes;
- 4.2.5. contribute to discussions and decision making;
- 4.2.6. be prepared to accept compromise and stand by decisions of the board;
- 4.2.7. take to the community information on the library and its services and ask for support and interest;
- 4.2.8. work with the board structure, helping to achieve goals and objectives;
- 4.2.9. deal with the librarian and staff as professionals carrying out library goals, objectives, and policies; and
- 4.2.10. become a professional trustee with high standards of achievement and adherence to law and the best procedures which assist the board as a whole in doing its best.

4.3 General Responsibilities of Trustees

There are some generally accepted responsibilities and functions for trustees that recognize the basic trustee role of representing the community.

Boards should not run their libraries; they should see that they are properly run. Boards should not attempt to manage their libraries; they must see that the libraries are properly managed. Policy determination and management are different roles. Policy determination relies heavily on the on the board's participation and knowledge; management is the responsibility of the administrative librarian. The following tabulation delineates the division of the board and administrative responsibilities.

Responsibilities of Board and Administrative Librarian Governance and Policy Making

4.3.1. Goals and Objectives

Board: Determine the goals and objectives of the library and methods of evaluating progress toward meeting them. Review goals and objectives at least annually and evaluate progress.

Administrator: Provide assistance and direction to the board in setting goals and objectives and determining methods of evaluation. Provide information and opinion on how the library is progressing.

4.3.2. Community Needs

Board: Relate the library and its programs to the community and its needs, discovered through systematic study of the community and through analysis of library services.

Administrator: Assist the board to know the needs of the community and how to respond to these needs through the library.

Participate fully in the continuing community analysis process and in evaluation of library services. Prepare regular reports on current progress and future plans.

4.3.3. Policies

Board: Determine and adopt written policies to govern the operation, use and program of the library. Adopt bylaws for board procedures. Develop and adopt a mission statement for the library. The current mission of Curry Public Library is: "To provide the public with quality materials and services to meet their recreational, informational and educational needs, and to promote reading and lifelong learning for all."

Administrator: Recommend needed policies to the board and supply examples and sources information.

Administrator: Carry out the policies as adopted by the board, and interpret policies to staff and public.

4.3.4. Policy Review

Board: Review policies on a regular basis, especially as a part of the orientation of new trustees.

Administrator: Administer the library within the frame work of the law and of the library's goals and objectives, policies, and budget.

4.3.5. Library Legislation

Board and Administrator: Know the local, state, and national laws which affect libraries and play an active part in initiating and supporting beneficial library legislation.

4.3.6. Library Networking

Board and Administration: Participate fully in any regional cooperative and arrangements and utilize the services of the State Library.

Attend regional, state and national library associations meeting and workshops where possible and join appropriate organizations working for improved libraries. Study library publications.

Budget for continuing educations experiences for administration, staff and trustees.

4.3.7. Funding Agency Relations

Board: Seek a cooperative base with officials of the funding agency and with local units of government.

Administrator: Prepare all needed reports for the funding agency and for the State Library with cooperation of the trustees.

4.3.8. Meetings

Board: Attend all meetings and commute meetings as assigned.

4.4. Finance

Board: Be completely informed about the financial status of the library.

Administrator: Provide a report of budget status and of expenditures at each board meeting.

Board: Work with the administrator to formulate a budget adequate to carry out the goals and objectives of the library.

Administrator: Prepare a suggested budget for board discussion. Supply facts and figures to the board to aid in interpreting the library's current and future needs.

Board: Support the budget to the funding agency and to the public.

Administrator: Follow the budget process as it moves through the funding process. Provide leadership in supporting the budget.

Board: work to secure adequate funds for the library services to the community, including lobbying.

Administrator: Identify financial needs of the library and work with board and staff for adequate funding, including lobbying.

Board: Explore ways of increasing the library's income through tapping sources other than taxes and cooperating with the other libraries.

Administrator: Call to the board's attention ways of stretching the budget or shifting emphasis. Utilize cooperation on behalf of the public.

Board and Administrator: See that complete and accurate records concerning finances, personnel, property inventory, and annual reports are on file at the library.

4.5 Personnel

Board: Employ or participate in the employment of a competent and qualified administrative or head librarian and pay an adequate salary.

Administrator: Hire and direct staff members in line with the library's personnel policies and best practice.

Board: Advocate adequate compensation and reasonable fringe benefits for all employees. Provide agreeable working conditions and opportunities for professional growth.

Administrator: Work for needed improvements in working conditions, salary scales and fringe benefits. Utilize the skills and initiative of staff members to their own and the library's advantage.

Board: Provide a planned orientation program for new trustees.

Administrator: Assist in orientation of new trustees, including introduction to library procedures, staff, and departments.

Board and Administrator: Provide in-service training for the professional development of staff members and effective implementation of library policies. Where possible, provide opportunities for additional education and advancement. Establish career ladders within the library if possible.

Board: Develop policies to guide staff selection.

Administrator Provide the board with recommendations and material for study.

Apply guidelines in selecting staff.

Take full responsibility for the day-to-day administration of the library.

4.6. Service and Community Relations

Board: Interpret the community and its needs to administrator and reflect them in goals, objectives and policies.

Administrator: Interpret the community and its needs to the board.

Board: Establish a library materials selections policy reflecting community needs.

Administrator: Supply information and expert advice on such a policy, together with recommendations reflecting professional knowledge.

Board: Seek ways of providing services, not just to individuals, but to organizations, agencies, and institutions within the community.

Administrator: Offer regular and special services to public and private community groups. Seek effective ways of providing library services to the total community.

Establish, support, and participate in planned community relations programs, allocating responsibility for various tasks according to available personnel and talents.

Seek to extend library service to those who have been reluctant to use the library and to those unable to take advantage of customary library programs.

4.7. Election of Board Members

All election of board members shall be held as provided in ORS 055.

4.8. Board Member Qualifications

Persons will be eligible to serve as members of the Board if they are qualified voters of the district and have been residents within the district for one year immediately preceding the election of appointment.

No person who is an employee of the district will be eligible to serve as a member of the Board while so employed.

4.9. Board Member Oath of Office

New director must qualify by taking an oath of office before assuming the duties of office. The oath of office will be in the following form:

I, _____, do solemnly swear (or affirm) that I will support the Constitution of the United States, the Constitution of the State of Oregon and the laws thereof, and the policies of the Curry Public Library District. I will faithfully and impartially discharge the duties of the Office of Board Member according to the best of my ability during the term for which I have been appointed.

Signature: _____

4.10. Board Member Resignation

The board believes that any citizen who files for and seeks election to the Board should do so with full knowledge of and appreciation of the investment in time, effort and dedication expected of all Board members, and that the citizen's intent to serve reflects his or her intention of full term of office.

However, if for reason of health, change of domicile, or any other reason, a member does decide to terminate service, the Board requests earliest possible written notification of intent to resign and the principal reason for resignation so that the Board may plan appropriately for the continuity of the Board business.

A resignation becomes effective when officially accepted by the board at its regular meeting. The Board will announce the resignation and declare the vacancy at that meeting.

4.11. Board Member Removal From Office

The Board will declare the office of a director vacant upon any of the following:

- 4.11.1. death or resignation of an incumbent;
- 4.11.2. when an incumbent ceases to be a resident of the district;
- 4.11.3. when an incumbent ceases to discharge the duties of the office for three consecutive months unless excused by the Board;
- 4.11.4. when an incumbent is removed from office by judgment or decree of any competent court; and
- 4.11.5. when incumbent had been recalled from office by the voters of the district.

4.12. Vacancies on the Board

Vacancies will be filled by appointment by the Board. The Board appointee must be a legally registered voter and must have been a resident within the district for one year immediately preceding the appointment.

A Board member so appointed as replacement will serve the remaining years of the term of office of the Board member being replaced.

Upon appointment by the Board, the newly appointed Board member will be sworn and will be seated immediately.

4.13. Board Member Ethics (revision adopted 9/11/2016)

Board members will treat with dignity and courtesy other Board members, the Library director, staff and members of the public, and will provide an opportunity for all parties to be heard with due respect for their opinions.

Board members will recognize the Library Director as the administrator to whom the Board has delegated administrative authority to establish regulations and oversee the implementation of Board policy.

A Board member has the right to express personal opinions. When expressing such opinions in public, the Board member should clearly identify the opinions as his/her own.

A Board member will respect the privacy rights of individuals when dealing with confidential information gained through association with the district.

A Board member should...

- understand that his or her basic function is “policy making” and not administrative.
- refuse to bring personal problems into Board considerations;
- respect the rights of district patrons and employees to be heard at official meeting, within the provisions of Board policy to do so;
- recognize the authority rests with the Board only in official meetings;

- recognize that he/she has no legal status to act for the Board outside of official meeting, except as delegated by vote of the Board;
- refuse to participate in meetings which are not official and which all members do not have the opportunity to attend;
- refuse to make individual commitments on any matter which should properly come before the Board as a whole;
- make decisions only after all available facts bearing on a question have been presented and discussed;
- respect the opinion of others and accept “majority rule” in Board decisions;
- recognize that the library director should have full administrative authority for properly discharging his/her professional duties within limits of established Board policy;
- recognize that the library director is the library advisor to the Board and should be present at all meetings of the Board except when his/her contract and salary are under consideration;
- refer all complaints or problems to the proper administrative office and discuss them at regular meetings only after failure of administrative solution;
- present personal criticism of any library operation directly to the library director rather than to library personnel;
- insist that all library business transactions be on an ethical and above-board basis;
- refuse to use his/her position on the Board in any way for personal gain or for personal prestige;
- advocate honest and accurate evaluation of all past employees when such information is requested by another employer; and
- give the staff the respect and consideration due skilled professional personnel.

4.14.A. Financial Gain (revision adopted 9/11/2016)

Board members are prohibited from using the position as a public official to receive certain financial benefits if the opportunity for the financial benefit would not otherwise be available but for the position held by the public official. In addition, each public official is prohibited from using or attempting to use the official position to obtain financial benefits for a relative or a member of the public official’s household, or for a business with which the public official, a relative, or a member of the public official’s household is associated.

4.14.B. Gifts (revision adopted 9/11/2016)

No public official shall solicit or receive any gift(s) with a total value of more than \$50 from any single source who could reasonably be known to have a financial interest in the official actions of that public official. A gift is defined as something of value given to a public official, for which the official does not pay an equal value. Gifts of entertainment are included in the \$50 gift limit.

This does not mean that an official cannot receive any gifts. The law only restricts gifts from sources that have an administrative or legislative interest in the public official's actions, and does allow the public official to receive up to \$50 worth of gifts from each source. In addition, unlimited gifts may be accepted from a source that does not have a legislative or administrative interest in the public official, and the public official may accept unlimited gifts from specified relatives.

4.15.A. Board Member Compensation and Expense Reimbursement (revision adopted 9/11/2016)

No Board member will receive any compensation for services other than reimbursement for approved expenses actually incurred on district business. Such expenses may include the cost of attendance at meeting, conferences or visitations, when such attendance has been approved by the Board.

Reimbursement may include transportation, meals, lodging and miscellaneous expenses as budgeted.

4.15.B. Conflict of Interest (revision adopted 9/11/2016)

Oregon Government Ethics law identifies and defines two types of conflicts of interest: actual conflict of interest and potential conflict of interest. The difference between an actual conflict of interest and a potential conflict of interest is determined by the words "would" and "could." A public official is met with an actual conflict of interest when the public official participates in action that would affect the financial interest of the official, the official's relative or a business with which the official or a relative of the official is associated. A public official is met with a potential conflict of interest when the public official participates in action that could affect the financial interest of the official, a relative of that official or a business with which the official or the relative of that official is associated.

Library board members must announce or disclose the nature of a conflict of interest. The way the disclosure is made depends on the position held.

Potential Conflict of Interest: Following the public announcement, the board member may participate in official action on the issue that gave rise to the conflict of interest.

Actual Conflict of Interest: Following the public announcement, the board member must refrain from further participation in official action on the issue that gave rise to the conflict of interest. If a board member is met with an actual conflict of interest and the board member's vote is necessary to meet the minimum number of votes required for official action, the board member may vote. The board member must make the required announcement and refrain from any discussion, but may participate in the vote required for official action by the governing body. These circumstances do not often occur. This provision does not apply in situations where there are insufficient votes because of a member's absence when the governing body is convened. Rather, it applies in circumstances when all members of the governing body are present and the number of members who must refrain due to actual conflicts of interest make it impossible for the governing body to take official action.

4.16. Board Member Liability Insurance

The Board will purchase liability insurance and errors and omissions insurance to protect its members individually and collectively for claims made against them as a result of their official Board actions in the course of their official duties.

4.17. Library Board Organization/Board Organizations Meeting.

At the first regular meeting after July 1, the Board will meet to organize for the year.

The organizational meeting will consist of, but not limited to, the following actions:

- election of a Board Chairman;
- election of a vice-chairman;
- provision of a time and place its regular meetings; and
- other organization actions prescribed by law or by Board practice.

The incumbent chairman of the Board will preside until a successor is elected, whereupon the successor will assume the chair. In the event no incumbent chairman or vice-chairman remains on the Board, or neither is able to continue to serve as an officer, a temporary chairman will be selected to conduct the election.

The chairman and vice-chairman shall serve for a period of one year or until their successors are elected or appointed.

In accordance with the Open Meeting Law, the Library Director is also the Executive Secretary

4.18. Board Officers

At the first scheduled meeting of each fiscal year, the Board will elect one of its member to serve as chairman and one to serve as vice-chairman. No member of the Board may serve as chairman more than two years in succession. If a board member is unable to continue to serve as an officer a replacement will be elected immediately. The replacement officer will serve the remainder of the officer's term until the following July.

4.18.1. The Board Chairman...

- will preside at all meetings of the Board;
- will perform such duties as may be prescribed by law or by action of the Board;
- will decide questions of order at Board meetings;
- shall have the right to entertain resolutions or motions, to discuss an issue or guideline before the body, and to vote on any issue in the case of a tie or when a legal majority vote is needed;
- shall sign the minutes and official documents that require the signature of the chairman;
- will assist the library director in establishing the agenda for regular meeting of the Board;
- will call special meeting when required; and
- will represent the Library and the Board at official functions, unless this duty is delegated by the chairman or the Board to another member of the Board.

4.18.2 The Board Vice-Chairman

In the absence, incapacitation or death of the chairman, the vice-chairman shall perform the duties of chairman. The vice-chairman will perform such other functions as designated by the Board.

4.18.3. The Executive Secretary of the Board

The Library director is also the Executive Secretary of the Board. The duties of the Executive Secretary of the Board shall include but not be limited to the following:

- keeping, or causing to be kept by competent clerk, complete records of the disposition of all matters on which the Board considered action;
- preparing, checking and distributing minutes in advance for approval at the next Board meeting;
- maintaining properly authenticated official copies of the minutes;
- maintaining the official record of policies of the Board;
- notifying Board Members of meetings; and
- advising the Board of policies previously adopted which affect items of the agenda which require policy considerations.

The Executive Secretary shall be the official custodian of all funds of the district and shall be responsible for the safeguarding and accounting of all such funds. The Executive Secretary shall cause to have issued a receipt for any moneys coming into his or her hands and deposit such moneys in accordance with the laws governing the deposit of public funds.

He or she shall issue all checks in payment of expenses lawfully incurred on behalf of the District.

For each fiscal year commencing July 1, the Executive Secretary, the Vice-Chairman and the Chair shall give a bond for the faithful performance of their duties, said bond to be written by an insurance company licensed to do business in the State of Oregon and in an amount to be determined by the Board.

4.19. Board Meeting/Regular Board Meetings

“Meetings” mean the convening of the Board as the governing body of the Curry Public Library in order to make a decision or to deliberate toward a decision on my any matter. The board has the authority to act only when a quorum is present at a duly called regular or special meeting.

Any duty imposed upon the Board as a body must be performed at a regular or special meeting and must be made a matter of record.

4.19.1. Regular Meetings

All regular and special meeting of the Board will be open to the public except as provided by law. All meetings will be conducted in compliance with the state statutes. All meeting of the Board will be held within the boundaries of the Curry Public Library District. No meeting will be held at any place where discrimination on the basis of race, creed, color, sex, age or national origin is practiced.

Regular meeting may be held on the second Tuesday of each calendar month. The Board may

change the meeting schedule with proper notice. The purpose of the each monthly meeting will be to conduct the regular business of the Board. The Board chairman will conduct the meeting, or in his or her absence, the vice-chairman will conduct the meeting. If both are absent at the meeting, the person with at the meeting with the person with the longest period of service on the Board will conduct the meeting.

4.19.2. Private or Social Meetings

Private or Social meeting of a quorum for the purpose of making a decision or to deliberate toward a decision on any matter are prohibited by the Public Laws.

4.19.3. Adjourned Meetings

A Board meeting may be recessed to another time if a quorum is not present or if additional business needs to be conducted at the regular time of adjournment. The time, date and place of the adjourned meeting will be specified and appropriate notice given.

4.19.4. Special Board Meetings

Special Board Meetings may be convened by order of the chairman upon request of a majority of the Board (3 members), the library director, or by common consent of the Board members. The library director will post statutory notice stating the time and place of any special meeting and the purpose for which called at least 24 hours before such a meeting is to be convened.

The purpose of special meetings is to afford the Board an opportunity to gather information and to discuss and fully explore various aspects of the library.

Local news media will receive written notice of the meeting at least 24 hours in advance as required by law.

Emergency meeting may be called only in the event of an actual emergency. Notice appropriate under the circumstances will be given to the public and the press and the minutes of the meeting will describe the nature of the emergency. No business other than that related to the emergency will be discussed at these meetings.

4.19.5. Executive Sessions

Executive sessions may be held during a regular, special, or emergency meeting for any reason permitted by law. Meetings may be called solely for the purpose of executive session. Final action on an item discussed in executive session will be accomplished in open session.

A Board member may request and, with consensus of the Board, require the presiding officer to convene an executive session for a purpose authorized under ORS 192.610–.690.

Executive Sessions may be called to consider matters including the following:

- to consider employment matters relating to specific employees. (ORS 192.660 a);
- to consider dismissal or discipline of any staff member or members. (ORS 192.660 b);

- to discuss authority of persons designated to carry on labor negotiations. (ORS 192.660 d);
- to discuss authority of persons for purchase of real property. (ORS 192.660 e);
- to consider records exempt from public inspection law. (ORS 192.660 f); and
- to conduct labor negotiations if requested by either side. The first of such executive sessions requires public notice, subsequent such sessions do not (ORS 192.660 j 2).

Members of the press may attend executive session except for those pertaining to negotiations. Attendance of the press is contingent upon acceptance of rules governing disclosure of information announced by the presiding officer at the beginning of the executive session. (ORS 192.660 j 3)

4.20. Board Meeting Procedures

4.20.1. Quorum

A quorum will consist of the majority of the members of the board

4.20.2. Vote Needed for Exercise of Powers

The affirmative vote of the majority of members present will be necessary for the exercise of any to the Boards' powers.

4.20.3 Board Meeting Voting

The vote of each member on all motions will be recorded in the minutes.

4.20.4. Abstaining from Vote

If a Board member chooses to abstain from voting, such abstention will be recorded.

4.20.5. Parliamentary Procedure

Official business of the Board will be transacted by motion or resolution at duly called regular or special meetings.

Except as otherwise provided by state law and/or Board policy, rules of parliamentary procedure comprised in Robert's Rule of Order, Revised will govern the Board in its deliberation. (060.4-ROB)

The Chairman will decide all questions relative to points of order, subject to an appeal to the entire Board.

Discussion by board members will be unlimited so long as it applies to the motion before the Board or matter under consideration. The Board may vote to limit discussion, and the chairman will confine discussion to the matter before the Board. The chairman may limit the time of any citizen appearing before the Board in order that all who wish to be heard may have the opportunity.

4.20.6 Smoking is not permitted during any public meeting of the Board.

4.21. Notification of Board Meetings

The will provide for and give public notice, reasonably calculated to give actual notice to interested persons, of the time and place for regular meeting and of the principal subjects to be considered.

If only an executive session will be held, the notice will state the specific provision of law authorizing the executive session.

No special meeting will be held without at least 24 hours' notice to the Board members and the general public except in the case of emergency situation.

In the case of emergency, a meeting may be held upon such notice as is appropriate under the circumstances, but minutes will explain the emergency situation.

Dates of regular meeting of the Board will be the second Tuesday of the month.

4.22. Board Meeting Agenda

The Director and Board chairman will prepare and agenda for all regular meetings of the Board. Items of business may be suggested by any Board member, staff member, or citizen of the district by so notifying the Library director at least five working days prior to the meeting.

The agenda will be established following a general order as follows:

- Call to Order
- Minutes
- Financial Report
- Library Director's Report
- Business (including transfer of funds, adoption of resolutions, and all items of business requiring Board action)
- Adjournment

4.23. Conduct of Board Meetings

The rules of parliamentary procedure contained in the latest edition of Robert's Rules of Order, or notified version thereof will govern the Board in its deliberations. Discussion by Board members will be unlimited so long as it applies to the motion before the Board or matter under consideration. The Board may vote to limit discussion, and the chairman will confine discussion to the matter before the Board. The chairman may limit the time of any citizen appearing before the Board in order that all who wish to be heard may have the opportunity.

Individual votes on motions and/or resolutions will be by "yes" or "no" and the result of the vote will be recorded by name. a Board member who abstains from voting will be so recorded.

4.24. Minutes of Board Meetings

The Library Director is also the Executive Secretary of the Board. The executive Secretary of the board shall keep, or cause to be kept by a competent clerk, complete written minutes of all meeting of the Board.

The written minutes will be a true reflection of the matters discussed at the meeting and the views of the participants. The minutes will include at least the following information:

- All members of the Board who were present;
- All motions, proposals, resolutions, orders, ordinances and measures proposed and their disposition;
- The results of all votes and the vote of each member by name;
- Any other information required by law.
- Minutes of executive sessions will be kept in accordance with the requirement of ORS 192.650.
- Approved minutes shall be kept in an official record of Board proceedings.

4.25. Public Hearing

The Board will hold such public hearings as are required by law and will follow the appropriate procedures.

The Board will hold such public hearings as are by law and will follow the appropriate procedures.

The Board will establish procedures, as appropriate, for such other hearings as may be required by the Board to ascertain the ideas and opinions of the community on an item of interest, or to facilitate the orderly resolution of questions or concerns of the Board or community.

4.26. Board Work Sessions

The Board may schedule work sessions in order to provide its members with opportunities for planning and thoughtful discussion without action. Topics for discussion and study will be announced publicly, and work sessions will be conducted in accordance with the state law on public meetings.

