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S.1 - LIBRARY BILL OF RIGHTS

The American Library Association affirms that all libraries are forums for information and ideas, and that the following basic policies should guide their services.

I. 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.

II. 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.

III. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.

IV. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.

V. A person's right to use a library should not be denied or abridged because of origin, age, background, or views.

VI. 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 19 1939. Amended October 14, 1944, June 18, 1948, February 2, 1961, June 27, 1967 and January 23, 1980, inclusion of "age" reaffirmed January 23, 1996, by the ALA Council.

-- Adopted November 1980 by New Jersey Library Association Executive Board.

<http://www.ala.org/advocacy/sites/ala.org.advocacy/files/content/intfreedom/librarybill/lbor.pdf>

S.2 - STATEMENT ON OUTSOURCING PUBLIC LIBRARY SERVICES

There are three basic philosophical premises for this statement: 1) residents of New Jersey deserve quality library services; 2) under state law, the trustees of a public library have specific duties and responsibilities and 3) duties of professional librarians must be performed by professional librarians.

The public library is a unique institution. The cornerstones of providing effective public library service are governance by lay trustees, the anticipation of and responsiveness to community needs and adherence to professional standards and practices. Furthermore, librarianship is first and foremost a service profession dependent on the commitment of competent and courteous staff.

These statements must serve as the backdrop against which any effort to increase the effectiveness and efficiency of libraries must be viewed. It is the position of the New Jersey Library Association that any decisions on the selection of outsourcing of public library service as a management tool must be governed by the following criteria:

1. The primary goal of a public library must be to meet the wide-ranging educational and cultural needs of its community.
2. The prerogatives of the Library Board of Trustees shall not be abridged or preempted. The Trustees must retain final authority and responsibility for all policy development, advocacy, goal setting, fiscal accountability and personnel action.
3. All professional services including administration, children's services, materials and resources selection, reference service and technical services must remain the function of professional librarians.
4. All applicable laws and regulations must be obeyed and upheld, including - but not restricted to - all library laws, civil service regulations and state aid requirements.
5. The rights of library workers to negotiate their conditions of employment must be preserved. This emphasis carries with it a responsibility to treat library employees fairly and equitably.
6. The public library provides services to all residents without regard to economic status. The institution of user fees that would limit access to library services must be avoided.

It is the position of the New Jersey Library Association that outsourcing the management of a public library is a most serious step and should only be undertaken after careful study and as a last resort. Prior to Board consideration of outsourcing the management of any public library, the New Jersey State Library should perform an evaluation and review of library operations. The findings and recommendations of the New Jersey State Library shall be formally communicated to the Board of Trustees, which shall develop, and implement a plan of action.

-- Adopted by the N.J.L.A. Executive Board September 1998, revised March 2001.

<http://njla.org/content/njla-statement-outsourcing-public-library-service>

S.3 - THE FREEDOM TO READ

The freedom to read is essential to our democracy. It is continuously under attack. Private groups and public authorities in various parts of the country are working to remove or limit access to reading materials, to censor content in schools, to label “controversial” views, to distribute lists of “objectionable” books or authors, and to purge libraries. These actions apparently rise from a view that our national tradition of free expression is no longer valid; that censorship and suppression are needed to avoid the subversion of politics and the corruption of morals. We, as citizens devoted to reading and as librarians and publishers responsible for disseminating ideas, wish to assert the public interest in the preservation of the freedom to read.

Most attempts at suppression rest on a denial of the fundamental premise of democracy: that the ordinary citizen, by exercising critical judgment, will accept the good and reject the bad. The censors, public and private, assume that they should determine what is good and what is bad for their fellow citizens.

We trust Americans to recognize propaganda and misinformation, and to make their own decisions about what they read and believe. We do not believe they need the help of censors to assist them in this task. We do not believe they are prepared to sacrifice their heritage of a free press in order to be “protected” against what others think may be bad for them. We believe they still favor free enterprise in ideas and expression.

These efforts at suppression are related to a larger pattern of pressures being brought against education, the press, art and images, films, broadcast media, and the Internet. The problem is not only one of actual censorship. The shadow of fear cast by these pressures leads, we suspect, to an even larger voluntary curtailment of expression by those who seek to avoid controversy.

Such pressure toward conformity is perhaps natural to a time of accelerated change. And yet suppression is never more dangerous than in such a time of social tension. Freedom has given the United States the elasticity to endure strain. Freedom keeps open the path of novel and creative solutions, and enables change to come by choice. Every silencing of a heresy, every enforcement of an orthodoxy, diminishes the toughness and resilience of our society and leaves it the less able to deal with controversy and difference.

Now, as always in our history, reading is among our greatest freedoms. The freedom to read and write is almost the only means for making generally available ideas or manners of expression that can initially command only a small audience. The written word is the natural medium for the new idea and the untried voice from which come the original contributions to social growth. It is essential to the extended discussion that serious thought requires, and to the accumulation of knowledge and ideas into organized collections.

We believe that free communication is essential to the preservation of a free society and a creative culture. We believe that these pressures toward conformity present the danger of limiting the range and variety of inquiry and expression on which our democracy and our culture depend. We believe that every American community must jealously guard the freedom to publish and to circulate, in order to preserve its own freedom to read. We believe that publishers and librarians have a profound responsibility to give validity to that freedom to read by making it possible for the readers to choose freely from a variety of offerings. The freedom to read is guaranteed by the Constitution. Those with faith in free people will stand firm on these constitutional guarantees of essential rights and will exercise the responsibilities that accompany these rights.

We therefore affirm these propositions:

1. It is in the public interest for publishers and librarians to make available the widest diversity of views and expressions, including those that are unorthodox or unpopular with the majority.

Creative thought is by definition new, and what is new is different. The bearer of every new thought is a rebel until that idea is refined and tested. Totalitarian systems attempt to maintain themselves in power by the ruthless suppression of any concept that challenges the established orthodoxy. The power of a democratic system to adapt to change is vastly strengthened by the freedom of its citizens to choose widely from among conflicting opinions offered freely to them. To stifle every nonconformist idea at birth would mark the end of the democratic process. Furthermore, only through the constant activity of weighing and selecting can the democratic mind attain the strength demanded by times like these. We need to know not only what we believe but also why we believe it.

2. Publishers, librarians, and booksellers do not need to endorse every idea or presentation they make available. It would conflict with the public interest for them to establish their own political, moral, or aesthetic views as a standard for determining what should be published or circulated.

Publishers and librarians serve the educational process by helping to make available knowledge and ideas required for the growth of the mind and the increase of learning. They do not foster education by imposing as mentors the patterns of their own thought. The people should have the freedom to read and consider a broader range of ideas than those that may be held by any single librarian or publisher or government or church. It is wrong that what one can read should be confined to what another thinks proper.

3. It is contrary to the public interest for publishers or librarians to bar access to writings on the basis of the personal history or political affiliations of the author.

No art or literature can flourish if it is to be measured by the political views or private lives of its creators. No society of free people can flourish that draws up lists of writers to whom it will not listen, whatever they may have to say.

4. There is no place in our society for efforts to coerce the taste of others, to confine adults to the reading matter deemed suitable for adolescents, or to inhibit the efforts of writers to achieve artistic expression.

To some, much of modern expression is shocking. But is not much of life itself shocking? We cut off literature at the source if we prevent writers from dealing with the stuff of life. Parents and teachers have a responsibility to prepare the young to meet the diversity of experiences in life to which they will be exposed, as they have a responsibility to help them learn to think critically for themselves. These are affirmative responsibilities, not to be discharged simply by preventing them from reading works for which they are not yet prepared. In these matters values differ, and values cannot be legislated; nor can machinery be devised that will suit the demands of one group without limiting the freedom of others.

5. It is not in the public interest to force a reader to accept with any expression the prejudgment of a label characterizing it or its author as subversive or dangerous.

The ideal of labeling presupposes the existence of individuals or groups with wisdom to determine by authority what is good or bad for the citizen. It presupposes that individuals must be directed in making up their minds about the ideas they examine. But Americans do not need others to do their thinking for them.

6. It is the responsibility of publishers and librarians, as guardians of the people's freedom to read, to contest encroachments upon that freedom by individuals or groups seeking to impose their own standards or tastes upon the community at large.

It is inevitable in the give and take of the democratic process that the political, the moral, or the aesthetic concepts of an individual or group will occasionally collide with those of another individual or group. In a free society individuals are free to determine for themselves what they wish to read, and each group is free to determine what it will recommend to its freely associated members. But no group has the right to take the law into its own hands, and to impose its own concept of politics or morality upon other members of a democratic society. Freedom is no freedom if it is accorded only to the accepted and the inoffensive.

7. It is the responsibility of publishers and librarians to give full meaning to the freedom to read by providing books that enrich the quality and diversity of thought and expression. By the exercise of this affirmative responsibility, they can demonstrate that the answer to a "bad" book is a good one; the answer to a "bad" idea is a good one.

The freedom to read is of little consequence when the reader cannot obtain matter fit for that reader's purpose. What is needed is not only the absence of restraint, but also the positive provision of opportunity for the people to read the best that has been thought and said. Books are the major channel by which the intellectual inheritance is handed down, and the principal means of its testing and growth. The defense of the freedom to read requires of all publishers and librarians the utmost of their faculties, and deserves of all citizens the fullest of their support.

We state these propositions neither lightly nor as easy generalizations. We here stake out a lofty claim for the value of the written word. We do so because we believe that it is possessed of enormous variety and usefulness, worthy of cherishing and keeping free. We realize that the application of these propositions may mean the dissemination of ideas and manners of expression that are repugnant to many persons. We do not state these propositions in the comfortable belief that what people read is unimportant. We believe rather that what people read is deeply important; that ideas can be dangerous; but that the suppression of ideas is fatal to a democratic society. Freedom itself is a dangerous way of life, but it is ours.

This statement was originally issued in May of 1953 by the Westchester Conference of the American Library Association and the American Book Publishers Council, which in 1970 consolidated with the American Educational Publishers Institute to become the Association of American Publishers.

-- Adopted June 25, 1953; revised January 28, 1972, January 16, 1991, July 12, 2000, June 30, 2004, by the ALA Council and the AAP Freedom to Read Committee.

<http://www.ala.org/advocacy/intfreedom/statementspols/freedomreadstatement>

S.4 - NJLA Statement On Trustee Education And Training

It is the responsibility of the Public Library Board of Trustees to ensure that each new member attend the Board Orientation session conducted by the New Jersey State Library within the first two years of appointment. It is expected that each Board of Trustee member will be knowledgeable in areas including:

- ◆ Library Laws
- ◆ Fiscal Responsibilities
- ◆ Board/Director Relationship
- ◆ Library Policy Development

-- Adopted by the Executive Board of the New Jersey Library Association, January 9, 2001.

S.5 - NJLA Statement on Professional Development January 26, 2002

"The library is a growing organism" ~S.R. Ranganathan

The finest libraries are learning organizations that support and encourage opportunities for staff to grow and develop. The changing and increasing expectations of patrons require a library staff that continues to be competent, current and customer-focused. This can only be achieved through professional development, which is critical to revitalizing the skills and energies of librarians as they work with colleagues and patrons.

Professional development is an ongoing process that comprises the sum total of formal and informal learning experiences throughout one's career. It may include a wide variety of activities that enhance professional performance and personal growth, including:

- attending workshops, classes and conferences;
- actively participating in professional organizations;
- presenting workshops and programs at conferences;
- contributing articles and reviews to the professional literature;
- reading professional and other pertinent literature to stay current;
- communicating with or visiting other libraries and librarians;
- and pursuing ancillary studies that strengthen our skills as librarians.

The New Jersey Library Association recommends that all librarians be proactive in planning and pursuing their own path of professional development. The Association also encourages library boards and administrators to provide funding and programs that will allow librarians in New Jersey to have continued growth throughout their careers so that our libraries remain institutions of excellence.

S.6 - Trustee of free public or regional library or member of county library commission; immunity from liability

Notwithstanding any other provision of law to the contrary, no person serving as a member of the board of trustees of a free public library or regional library, or as a member of a county library commission, shall be liable for damages resulting from the exercise of judgment or discretion in connection with the duties of his office unless the actions evidence a reckless disregard for the duties imposed by the position.

N.J.S.A. 2A: 53A-7.3. (L.1989, c. 171, § 1).

**S.7 - Citizen's Request For Reconsideration Of Library
Materials To Be Submitted To Library /Institution**
(Attach Supplementary Materials)

Title Book Periodical Other

Author

Publisher

Request Initiated by

Address

City

State

ZIP

Telephone

Do you represent: Self

Organization /Group (Name)

To what in the work do you object? (Please be specific. Cite pages).

Did you read the entire work? What parts?

What do you feel might be the result of reading this work?

For what age group would you recommend this work?

What do you believe is the theme of this work?

Are you aware of judgments of this work by literary critics?

What would you like your library/school to do about this work?

_____ Do not assign/lend it to my child.

_____ Return it to the staff selection committee /department for re-evaluation.

_____ Other. Explain

In its place, what would you recommend that would convey as valuable a picture and perspective of the subject treated?

Signature

Date

Prepared by the New Jersey Library Association

S.8 - For New Trustees

(Adapted from the Montana State Library Trustee Manual.)

Trustee Orientation

The library board and library director are responsible for conducting a board orientation for new trustees. Typically, board orientation includes a tour of the library, receipt of written materials and a meeting with other trustees.

Library Tour

During a tour of the library, the director explains to new trustees how the library works internally, introduces the staff and demonstrates how the programs and services operate. Written materials about the library will be provided during the tour. The trustee should receive a map of the library and any other library handouts that are provided to the public. The tour should include information about each library department and its function in relation to the operation of the entire library.

Materials

Some of the information that is given to a new trustee might include:

Board Materials:

- Annual calendar of major board and library activities
- Board bylaws
- Board code of ethics
- Library director's reports for the past year
- List of board members and contact information
- List of board committees, committee charges, and current members
- Minutes of the library board meetings for the past year
- Materials explaining the role of the NJ State Library and NJ Library Network
- N. J. library laws
- New Jersey Public Libraries: A Manual for Trustees
- Roles and responsibilities of the board and director

Library Materials:

- Annual reports for the library
- Written mission statement of the library
- Library policies / board policy manual
- Documents that report the history of the library
- Current and prior year's budgets
- Financial reports for the past year
- Budget checklist, including timeframe for developing and approving the budget
- Job description for the library director
- Strategic or long range plan of the library
- Marketing materials and brochures or newsletters about the library and Friends of the Library
- Staff organizational chart

Orientation Meeting

The director and a few experienced trustees usually participate in the orientation meeting. The meeting should be scheduled a few days after the tour. This gives new members time to review the written materials.

The meeting agenda should include:

- Discussion of the library's mission, goals and objectives, and short and long range or strategic plans
- Discussion of the roles and responsibilities of trustees and the director, emphasizing that trustees roles do not include management of the library
- Discussion of the roles of trustees as individuals versus the entire board, emphasizing that individual trustees do not have decision-making power; the board as a whole has decision-making powers
- Explanation of the library's relationship to local governing officials, both elected and appointed
- Review of the highlights of the board minutes and the director's reports to give the trustee a sense of how the board and library operate
- Explanation of the budget, sources of funding, expenditures and the library's financial status
- Review of the policy manual, explaining policies and procedures
- Review of the reimbursement policy for trustee expenses
- Review of the library's relationships to local library organizations, to the Regional Library Cooperatives and to the State Library

Board Meetings

The most important work of the board is conducted at board meetings. First, individual trustees have no legal authority over the library. Any change in policy or other governing act must be brought before the entire board. Second, the board only has authority when it makes a group decision in a legally constituted meeting. (See **Open Public Meeting Law**).

The board bylaws provide the structure for board work (see sample bylaws in the Supplementary Documents). Here are some general guidelines for effective meetings.

- Meetings must be open to the public and held in accessible locations.
- Ensure that the director is present at all meetings.
- Hold regularly scheduled meetings as listed in the bylaws. Set specific dates, times and locations at the annual reorganization meeting. Advertise meeting schedule.
- Follow procedures for conducting business as outlined in Robert's Rules of Order. The chairperson is responsible for maintaining an orderly flow for the meetings.
- Keep an archival file of board minutes in the library.
- Keep board manual of policies and procedures available at meetings.
- Hold working board committee meetings and working sessions prior to the formal board meetings where decisions are made.
- Remember: Committees issues recommendations to the board but do not make the decisions. Written committee reports should be distributed before the board meetings if they are to be effective.
- The minutes should include the date, time and place of the meeting; the names of board

members present and absent; the substance of all matters proposed, discussed or decided, and a record of votes taken; the names of the public who appeared and substance of their comments; and other meeting information that board members request be entered in the record.

- Be as productive as possible. Deal with appropriate issues and maintain a clear distinction between the functions of the board and those of the director.
- Rotate leadership responsibilities to create a stronger board; each trustee should have the opportunity to hold office.

Typical Board Meeting Agenda

1. Call to Order
2. Announcement of compliance with the Open Public Meetings Law
3. Roll call (establishment of the quorum)
4. Agenda approval
5. Approval of Minutes of previous meeting(s)
6. Financial Report
7. Action on Bills
8. Open time to address the board (Public Portion of Meeting) with instructions to address the board
9. Correspondence
10. Reports of officers, director and standing committees
11. Reports of special committees
12. Old Business: items that are carried over from a previous meeting or items that have been postponed at a prior meeting
13. New Business: members may introduce new items of business
14. Program or guest speaker (if any)
15. Announcements
16. Confirm next meeting date
17. Adjournment

Chairing the Board

The trustee or commissioner serving as the board chairperson facilitates the board meetings with the help of the director. Before the scheduled meetings and according to the timeframe established in the bylaws to send out materials for the meeting, the chairperson and director should prepare the agenda. They should ensure that there is adequate time for the items listed. The agenda and the meeting date, time and place should also be posted and published. It is a best practice for the board to rotate leadership positions.

To Facilitate an Effective Meeting, the chairperson should:

- Begin the meeting on time
- Introduce visitors and/ or new board members
- Review the agenda, revising as necessary
- Follow the agenda and procedures stated in the bylaws
- Establish action items: who, what and when
- Establish time limits, if needed

- Focus on the matters at hand
- Review and summarize for the minutes the meeting's progress, decisions and assignments
- Confirm the next meeting date
- Adjourn the meeting

S.9 - Sample By-Laws of a Municipal Library Board of Trustees

ARTICLE I. Body Corporate

The Board of Trustees is a duly incorporated body under the name of "The Trustees of the _____ Library. The Board of Trustees was incorporated on _____ and exists by virtue of the provisions of Chapter 54 of the Laws of the State of New Jersey (Title 40), and exercises the powers and authority and assumes the responsibilities delegated to it under said Statute.

ARTICLE II. Purpose

The purpose of the Board of Trustees is to provide public library services to all residents of _____ in accordance with New Jersey State Laws; regulations of the State Library; and local ordinances.

ARTICLE III. Board Membership N.J.S.A. 40:54-9.

Section 1. The Board of Trustees shall consist of:

- 1.1 Five members appointed by Mayor or other chief executive officer for a term of five (5) years,
Notes:
 1. Method of appointment depends on type of local government; generally appointed by mayor, and some do not need council's approval; check with local authorities regarding legal procedure for appointments
 2. They may have up to seven (7) appointed members and terms must be staggered in a five-year sequence.
- 1.2 The Mayor or the Mayor's representative,
- 1.3 The Superintendent of Schools or the Superintendent's representative.

ARTICLE IV. Board Responsibilities N.J.S.A. 40:54-12.

Section 1. The Trustees of the _____ Library shall:

- 1.1 Hold in trust and manage all properties of the Library.
- 1.2 Determine the purposes of the Library.
- 1.3 Secure adequate funds to carry on the Library programs.
- 1.4 Employ a qualified Library Director and other necessary personnel and fix their compensation.
- 1.5 Know the programs and needs of the Library with relation to the community; keep abreast of Library standards and trends.
- 1.6 Establish policies to govern the use, operations and programs of the Library.
- 1.7 Establish policies dealing with book and material selection.
- 1.8 Establish, support and participate in a library public relations program.
- 1.9 Together with the Library Director prepare, present and justify an annual budget.
- 1.10 Attend all Board Meetings.
- 1.11 Evaluate the Library Director's performance annually, in accordance with established policy.

ARTICLE V. Officers

Section 1. The officers shall be a President, a Vice-President, a secretary, and a Treasurer, elected from among the appointed Trustees.

 Note: Some boards appoint a staff member to serve as the recording secretary and eliminate the board "Secretary" position.

Section 2. Officers shall serve for a term of one (1) year from the annual meeting at which they are elected and until their successors are duly elected and qualify.

 A person shall not be eligible to serve as President more than two (2) consecutive terms.

Section 3. A vacancy in office shall be filled by election of a successor for the unexpired term of the vacant office except in the Office of President, which shall be filled by the Vice-President. A new Vice-President shall be elected at the first regular meeting after the vacancy occurs.

Section 4. The President shall:

- 4.1 Preside at all meetings of the Board.
- 4.2 Appoint all committees, except the Nominating Committee.
- 4.3 Execute all documents or contracts authorized by the Board.
- 4.4 Enforce all By-laws and regulations.
- 4.5 Serve as an ex-officio member of all committees, except the Nominating Committee.
- 4.6 Confer with the Director regarding the agenda for each Board meeting.
- 4.7 Generally perform all the duties associated with that office.

Section 5. The Vice-President shall:

- 5.1 In the absence or inability of the President exercise all the functions of the President.
- 5.2 Have such powers and discharge such duties as may be assigned, from time to time, by the Board.

Section 6. The Secretary shall:

- 6.1 Assure that a true and accurate record of all proceedings of Board meetings be taken.
- 6.2 Arrange for the safe-keeping of minutes and other records of the Board, which shall be kept in the Library.
- 6.3 Assure issuance of notice for all regular and special meetings.
- 6.4 Generally perform all the duties associated with that office.

Section 7. The Treasurer shall:

- 7.1 Be the disbursing officer of the Board.
- 7.2 Be bonded in such amount as required by State Statute 40:54-13.
- 7.3 Receive from the disbursing officer of the municipality the money raised for library purposes as provided in N.J.S.A. 40:54-8.

- 7.4 Together with the Library Director have charge of its funds, which are to be deposited in a bank/banks or fund approved by the Board of Trustees, and be familiar with the accounts of the Board (Note: see also 15:21-12.4 (d) and (e)).
- 7.5 Assure that payment of all bills be made after approval by the Board.
 - 7.4.1 All checks shall be signed by two (2) officers of the Board, duly approved.
- 7.6 Assure that proper accounting records of all receipts and disbursements be maintained.
- 7.7 Assure that a monthly financial statement be submitted to the Board.
 - 7.6.1 The books shall be audited at the close of each year by an auditor approved at the annual reorganization meeting (Note: see also N.J.A.C. 15:21-12.7(d)).
- 7.7 Perform such duties as generally associated with that office.
- 7.8 In the absence or inability of the Treasurer, the above shall be performed by such other member of the Board as the Board may designate.

Section 9. No individual officer or member of the Board has authority to issue orders for or in the name of the Board unless specifically empowered to do so by the Board at a duly called meeting.

ARTICLE VI. Meetings

Section 1. Pursuant to the Open Public Meetings Act, the date, time and location of the regular Monthly Board meeting, which shall be fixed at its organizational meeting, will be posted in the library, filed with the Township Clerk, and sent to the official newspapers (Note: at least two).

- 1.1 The meetings so scheduled for July, August or both, in any year may be omitted by appropriate action taken by the Board at its regular meeting in June of such year.

Section 2. An Annual Reorganizational Meeting, shall be held at a date and time prior to or preceding the regular January meeting, at which time new and re-appointed board members will take the oath of office. The Board shall meet for the purpose of election of officers; approval of official financial institutions, newspapers, auditors, and Annual Report; appointments of committees and any other organizational matters that may come before the Board.

Section 3. Special meetings may be called by the President or by any other officer of the Board acting on behalf of the President or, on five (5) days notice by any three members of the Board. Notices for such meetings shall state the time, place and specific purpose/business in the call. Forty-eight hours notice thereof shall also be given by; posting the notice in the library, filing the notice with the Township Clerk, and sending the notice to the official newspapers.

Section 4. A quorum for all meetings shall consist of four (4) members for a seven (7) member Board or five (5) members for an eight (8) or nine (9) member Board present in person (Note: the law also allows the use of conference calls and virtual meetings as long as the public is included).

- 1.1 If a quorum is not present, the meeting will be cancelled and rescheduled.

Section 5. A majority of the votes of all the members of the Board present at any meeting shall be necessary for the adoption or passage of any resolution or motion (Note: Some boards might add a minimum number of votes for certain things. For example, a 9 member board might want a quorum to be 5, but want at least 5 votes to change the bylaws).

- 5.1 Actions taken shall be determined by a voice vote unless a roll call vote is requested by a Board member.
- 5.2 The President may require members to put motions into writing.
- 5.3 The President may offer motions and may vote on all proposals.
- 5.4 All motions shall be stated in their proper form and restated before a vote is taken.

Section 6. The order of business for regular meetings shall include, but not to be limited to, the following items which shall be covered in the sequence shown so far as the circumstances of the meeting will permit:

1.1 Agenda

- 6.1.1 Roll Call
- 6.1.2 Compliance with Open Public Meetings Act
- 6.1.3 Agenda Review
- 6.1.4 Minutes of the previous regular meeting and any intervening special meeting
- 6.1.5 Public portion on agenda items
- 6.1.6 President's report
- 6.1.7 Action on bills
- 6.1.8 Financial Report
- 6.1.9 Library Director's Report
- 6.1.10 Committee Reports
- 6.1.11 Unfinished business
- 6.1.12 New Business
- 6.1.13 Public portion
- 6.1.14 Closed session for personnel or contract items
- 6.1.15 Action on closed session items
- 6.1.16 Board comments
- 6.1.17 Adjournment

ARTCILE VIII. Library Director and Staff

Section 1. The Board shall appoint a qualified Library Director who shall be the executive and administrative officer of the Library on behalf of the Board and under its review and direction.

- 1.1 The Director shall attend all Board meetings except those at which the Director's salary or appointment is to be discussed or decided.
- 1.2 The Director shall recommend to the Board the appointment and specify the duties of other employees.
- 1.3 The Director shall be responsible for:
 - 1.3.1 The care and maintenance of Library property.
 - 1.3.2 Adequate and proper selection of materials in keeping with the stated policy of the Board.
 - 1.3.3 The efficiency of the Library's service to the public.
 - 1.3.4 Its financial operation within the limitations of the budgeted appropriations.

- 1.4 The Director shall have interim authority to appoint without prior approval all employees provided that such appointment shall be approved by the Board at its next regular meeting.
 - 1.4.1 All personnel actions must conform to the rules and regulations as set forth in the Personnel Policy Manual.
- 1.5 The Director shall conduct an annual performance appraisal of all employees prior to April 1st of each year based on the prior calendar year. The Director shall use those annual performance appraisals to formulate a package of recommended salary adjustments.
- 1.6 The Board or Trustees shall review the Director's recommendations and act upon them.
- 1.7 The Director shall certify to the correctness of the bills according to procedures established by the Board of Trustees.

ARTICLE IX. Committees

Section 1. The President shall appoint such committees of one or more members each for such specific purposes as the business of the Board may require from time to time. If it shall appear that the purpose of and need for any such committee may be long continued, the Board by appropriate action may confer the status of Standing Committee, whereupon it shall be the duty of the President to appoint such committee each year at the annual meeting; otherwise, a committee shall be considered to be discharged upon completion of the purpose for which it was appointed.

Standing Committees shall be:

- 1.1 Budget & Finance
- 1.2 Building & Grounds
- 1.3 Personnel
- 1.4 Nominating
 - 1.4.1 The Nominating Committee shall consist of the Secretary, the Treasurer and another member of the Board not presently serving as an officer, who shall serve as committee chair.
 - 1.4.2 At the December meeting this Committee shall present to the Board, for first reading, a slate of nominees for office. Additional nominations may be made from the floor.
 - 1.4.3 At the January reorganization meeting the slate, together with any nomination from the floor, shall be presented for a vote.

Section 3. No committees shall have other than advisory powers unless, by suitable action of the Board, it is granted specific powers to act.

ARTICLE X. Parliamentary Authority

The rules contained in the current edition of *Robert's Rules of Order* shall govern the organization in all cases to which they are applicable, and in which they are not inconsistent with these By-Laws and any special rules of order the organization may adopt.

ARTICLE XI. Amendments to By-laws

The By-laws may be amended, without prior notice, at any meeting of the Board at which the entire Board of Trustees is present; or by a majority vote of all members of the Board provided

written notice of the proposed amendment shall have been mailed to all members at least ten (10) days prior to the meeting at which such action is proposed to be taken.

Policy C-101 Chain of Command for Public Complaints and Inquiries

The following procedures will apply to the handling of public complaints and inquiries:

- A. Neither the Library Board of Trustees as a whole, nor any individual Board member, will entertain or consider communications or complaints from library employees, library patrons/users, residents or other citizens. Such communications will be referred to the Library Director.
- B. Complaints and inquiries should be submitted to the Library Director, in writing, and preferably on the *Patron Complaint* form (C101A) available at the library.
- C. The Library Director will make every effort to resolve the problem with the persons immediately involved.
- D. When satisfaction has not been achieved at this level, the Library Board of Trustees will accept written complaints or inquiries.
- E. Those who request a Library Board of Trustees hearing shall present written complaints or grievances to the Board Secretary in sufficient detail. After reviewing the evidence submitted by the Library Director the Library Board of Trustees will, if it deems advisable, grant a hearing to the parties interested.
- F. Library employees shall follow the procedures outlined in the Personnel Policy Manual when filling complaints or grievances.
- G. The Library Board of Trustees may defer decisions regarding complaints and inquiries presented initially at public Board meetings.

Public complaints and inquiries

The Library Director must be consulted on all matters that involve library personnel and the community.

Approved at regular meetings of the Library Board of Trustees on (date)

Updated (date)

S.10 - CORE COMPETENCIES FOR NEW JERSEY LIBRARY TRUSTEES AND COUNTY LIBRARY COMMISSIONERS

Adopted by the New Jersey Library Trustee Association May 2004

New Jersey's public libraries are vital community centers dedicated to lifelong learning. The success and achievements of public libraries depend upon the leadership, commitment and dedication of its trustees. Library trustees have legal and fiduciary obligations to ensure that all public libraries provide the highest quality of library service. These core competencies enumerate skills, qualities and abilities essential for trustees to undertake their duties.

The New Jersey Library Trustee Association strongly believes that each trustee must be aware of the issues, opportunities, and challenges facing public libraries. Continuing trustee education for all trustees must be a priority to ensure that trustees can fulfill their responsibilities.

A. PHILOSOPHIES AND ETHICS

- Understand the mission and role of your public library.
- Demonstrate knowledge of the legal and regulatory environment of your public library (NJSA 40:54-1. et seq. for municipal libraries; NJSA 15A for association libraries; NJSA 40:33-7 for county libraries; and NJSA 40:54-29.10 for joint libraries).
- Understand and demonstrate ethical behavior using your Board's Code of Ethics as a guideline.
- Understand the functions of a public library: public services, technical services, administrative service, technology and children's services.
- Stay current with developments in state and federal law and regulations pertaining to public libraries. Participate in continuing education opportunities sponsored by the NJ State Library, NJLTA, NJLA, the New Jersey Library Network and county trustee organizations.
- Uphold the principles of intellectual freedom.
- Ensure your library's participation in the services of the New Jersey Library Network and local resource sharing arrangements.

B. BOARD ATTRIBUTES

- Demonstrate good interpersonal skills and the ability to communicate effectively and diplomatically.
- Demonstrate the ability to work collaboratively with other board members, public officials, and other groups to promote growth for the library.
- Attend and participate in all library board meetings.

C. ADMINISTRATION

- Understand the legal structure of your library and the environment in which it operates.
- Understand the budgeting process within the community including how to use statistics effectively to demonstrate library utilization.
- Know your community by reviewing census data and other available documentation. Support the development of programs and services, which impact all segments of your population.
- Develop a strategic plan with specific strategies to support your public library's mission and goals.
- Develop and understand Board by-laws and Board procedures.
- Develop policies and procedures for your public library.
- Understand the principles of personnel management, including the role of the library director, who administers the day-to-day operations of the library, and that of the library board which sets policy.
- Recruit and evaluate the library director.
- Understand relevant state and federal laws pertaining to employment and personnel practices.
- Have knowledge of the physical plant and its maintenance and be able to plan for capital improvements.
- Provide support for training and continuing education opportunities for library staff and board.

D. ADVOCACY

- Advocate for your library, everywhere with everyone.
- Seek opportunities to ensure sufficient income and resources to provide optimal library service.
- Support legislative initiatives to improve libraries and library services such as those endorsed by the N. J. Library Association and the N. J. Library Trustee Association.
- Develop and implement an effective public relations plan for your library.
- Maintain positive relationships with officials at all levels of government, with the Friends of the Library and all segments of the community.

S.11 - 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 or 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 _____

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Approved by the
United for Libraries
Board in January 2012

Also consider the addition of a non-nepotism clause: Trustees will not hire the relatives of current employees or trustees. For the purposes of this policy, relatives are defined as: spouse, father, mother, son, daughter, brother, sister, grandparent, grandchild, nephew, niece, aunt, uncle, step-parent, step-child or any individual who has acquired such relationship through blood or marriage.

S.12 - Library Trustee Continuing Education Requirement

Continuing education for New Jersey library trustees is required by law. Under NJSA (New Jersey Statutes Annotated 15:21-2.3): a member or members of the board or commission must have received a minimum of seven (7) total hours of library-related education annually to qualify for state aid, among other requirements.

What constitutes Continuing Education? The regulation leaves it to your discretion. The library director and board president sign the "Accuracy Certification." As long as you are comfortable that the education was "library-related" you will be able to say "yes" to the questions. Aside from the New Jersey State Library Trustee Institute, examples of continuing education may include dealing directly with library issues or broader topics such as customer service. Regional training, watching a video on serving the elderly and having a library in-service day (you may want to join with other libraries if you decide this might be valuable) would all qualify, as well as workshops on common law and regulations pertaining to libraries and library law, duties of trustees/commissioners, budget creation and implementation, fundraising workshops, or a tour of a library to gain understanding of operations and current service trends.

Multiple opportunities to fulfill the Continuing Education requirement are provided through the NJ State Library. Programs are held regionally periodically throughout the year to educate trustees on their roles and responsibilities, library law, and other important trustee activities. Notice will be sent to those libraries that are within the region when one of these special programs is offered.

The "Trustee Academy Webinar Series" by ALA's United for Libraries is an excellent series of online courses designed to help Trustees become exceptionally proficient in their roles on behalf of libraries. Topics include Trustee Basics, Working Effectively with the Library Director, the Library's Budget, Advocating for Your Library, Evaluating the Library Director, Per Capita State Aid, & New Jersey Library Law. The New Jersey State Library has paid for 100 site licenses that provide the Trustees, staff, and library directors with one year of FREE access (July 1 to June 30) to the Trustee Academy. To register for a free site license on a first-come, first served basis, please contact Beth Nawalinski, Director of Marketing & Communications, United for Libraries, 800-545-2433 Ext. 2161, bnawalinski@ala.org.

The New Jersey State Library is committed to providing the highest quality of trustee education available. The Trustee Institute, held every two years, is part of our goal to train trustees to be knowledgeable about their responsibilities and to help them understand core competencies to improve their skills as trustees and therefore better advocate for their library. Attending the Trustee Institute provides trustees with many of the tools that will help them to achieve their goals. Like New Jersey's libraries, our Library Trustees just keep getting better and better.

Trustees need to commit themselves to their continuing education. It is part of a

trustee's obligation to improve skills, exchange ideas with other trustees, and participate in the planning of continuing education events.

For further information on trustee training see: <http://lss.njstatelib.org/trustees>.

Contact Michele Stricker, Associate Director, Library Support Services, New Jersey State Library, at mstricker@njstatelib.org.