

NEW JERSEY PUBLIC LIBRARIES: A MANUAL FOR TRUSTEES

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Affiliated with Thomas Edison State College

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This publication is prepared as an educational resource and should not replace legal advice. Copies may be downloaded from the website at http://www.njstatelib.org/services_for_libraries/consulting_services/library_trustees/.

2015 Edition

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Montana Public Library Trustee Handbook



April 2015

To the Trustees of Public Libraries of New Jersey,

Thank you for your commitment to New Jersey's libraries, and for serving your community as a library trustee. This Trustee Manual offers a wealth of information to assist you in your responsibilities. Whether you are a new or experienced trustee, you will find something in these pages to help you better understand your role as a trustee or county library commissioner.

In the years since this manual was first issued, much has changed in the way libraries operate and interact with their communities. Trustees are there to help guide their institution through these transitions, and the many changes to come, and to make sure that the library remains a vibrant community hub serving all populations seeking resources.

This manual has been organized into organized sections on the primary responsibilities of your position. In addition to clear chapters outlining your major roles and responsibilities, you will find links to supplemental resources on the New Jersey State Library's website, and appendices of core documents.

Please remember that this manual is meant to be a general guide, one that you will reference time and time again. Use the information in this manual as a springboard for discussion. Your particular situation may call for a different response, so please do not hesitate to call the New Jersey State Library for consultation.

May your term as a trustee be personally rewarding for you. Thank you again on behalf of New Jersey's libraries for your service as a trustee.

Best wishes,

Mary L. Chute

State Librarian of New Jersey

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Section 1: The Job of a Trustee and the Operation of the Board

1.1 – *Being a Library Trustee*

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.

Being a library trustee means that you have been entrusted with the welfare of an important community institution capable of serving everyone in your community. As guardians of the public trust, a trustee's first loyalty is to the library and the community it serves, and not to the municipality. You take an oath of office when you are sworn in as a library trustee that includes the words that you will "faithfully, impartially, and justly perform all of the duties of the office of trustee" to the best of your ability. Please note that throughout this manual we will use the word **trustee** to indicate a member of a library board of trustees or of a county library commission.

Online Resources

N.J.S.A. 40A:5-33. Oath taken before assuming office

http://www.njstatelib.org/services_for_libraries/resources/library_law/page20-2/

Supplementary Documents: Wording of Oath and who may administer

1.2 – *Trustee Core Knowledge*

A trustee knows:

- ♦ organization of the board
- ♦ mission and bylaws of the library
- ♦ library services and available resources
- ♦ information needs and interests of the community
- ♦ how to work effectively in a group
- ♦ services and resources available from the NJ State Library and the NJ Library Trustee Association
- ♦ national library trends, standards and developments
- ♦ library terminology
- ♦ library law
- ♦ legislation affecting libraries and pending legislative developments

1.3 – *The Library Board's Job*

It is the job of the board to:

- ♦ support growth of library services to the community, remembering that the goal is not to save the community money but to spend funding wisely for efficient and effective library service
- ♦ advocate for excellence and adequate funding
- ♦ obey all library laws, state and federal laws
- ♦ devise a strategic plan for library services and update it every 3-5 years
- ♦ conduct analyses of the community and its needs, and implement responses to those

needs

- ◆ build board policies and procedures to work together effectively on behalf of the community for needed library services
- ◆ Hire a competent, professional library director. Conduct a formal evaluation of that director every year.
- ◆ provide a model of exemplary performance of a public body functioning as a part of government

Online Resources

Roles & Responsibilities of the Library Trustee

http://www.njstatelib.org/services_for_libraries/consulting_services/library_trustees/

1.4 – The Trustee’s Job

It is the job of the trustee as an individual to:

- ◆ serve as part of a board on which every trustee participates
- ◆ give the time and attention the job requires
- ◆ study any problems and issues, and contribute to discussions to resolve them
- ◆ retain an individual perspective in order to represent the many groups and individuals in the community
- ◆ contribute to making decisions and accept compromise when valid
- ◆ complete continuing education annually
- ◆ carry news about the library to the community and generate support and enthusiasm among the public
- ◆ reinforce the important role trustees play in governing the library
- ◆ work within the board structure to achieve goals the board has selected
- ◆ insist that the board and staff behave professionally

1.5 - Trustee Expectations

A trustee is expected to:

- ◆ obey library law, state and federal laws
- ◆ support the library and library director
- ◆ attend all regular and special meetings of the board. Plan to avoid conflicts with other activities
- ◆ give time outside of meetings for the work of the board
- ◆ participate in discussions, having read the agenda and material supplied in advance
- ◆ be a member of the board rather than operate individually, but contribute individual opinion and knowledge to decision making
- ◆ stand by decisions of the board, or seek to change them with reason
- ◆ know your library : its mission, goals and objectives; its services and programs; the director and staff members; and budget details
- ◆ promote and represent the library in the community. Be an advocate for library service. Work to make needed services possible
- ◆ know the community – its many groups and elements. Represent the entire community's interests
- ◆ accept assignments for committee work, lobbying, public relations activities, and other

needed tasks

- ♦ identify others in the community interested in libraries and willing to work for them they may be the next trustees. Plan for your succession.

Online Resources

Trustee Troubles Online Video Series <http://www.wyominglibraries.org/trusteetrouble.html>

1.6 - Personal Characteristics Important in a Trustee

- ♦ willingness to give time – and having the time to give
- ♦ ability to work with others
- ♦ understanding of the place of the library in government: knowing or learning about budgets, sources of funding, concepts of current library service
- ♦ ability to make speeches, be persuasive, talk to people
- ♦ participation in community groups to represent community needs
- ♦ willingness to share skills (but not to serve in any professional services capacity that might create a conflict of interest, e.g., as the board's attorney)
- ♦ willingness to compromise, but not on ethical questions or legal points. Ability to organize facts and discuss problems calmly
- ♦ willingness to take on assignments
- ♦ having a record of community effectiveness and of achievement in other groups
- ♦ respect for the work of others and the recognition and rewards which good work should bring.

1.7 – Personal Characteristics NOT Important in a Trustee

While there are many skills and characteristics, which you might WANT in a trustee, some are not necessary.

Specific skills such as legal or financial skills. While these backgrounds may be useful in discussions, it is not a best practice for trustees to be the board's practicing attorney or accountant. Conflicts of interests are all too easy when trustees try to play two roles.

Being a reader or a library user. Although being an avid reader and a frequent library user is very desirable, it is not required. What is important is that trustees understand the importance of a library to a community, and know how the community wants to use the library.

Having money. Boards often look for someone who is wealthy. It's far more important to have roots in the community and try to represent that total community than to be able to buy it!

Being a college graduate. Many library trustees have a good educational background, but some of the best are those who recognize the value of education obtained from many sources, especially the library. Hire a professional librarian as the director and let the trustees come from varied backgrounds.

Having special interests. It may sound helpful to put a trustee on a board for a special purpose, but this may not be the case. A trustee who is the resident expert on children's services or vitally interested in resources for business or hooked on computers is valuable only if not deferred to in decisions. Broad interests and representative trustees provide a better base.

Online Resources

Who Makes a Successful Library Trustee?

http://www.njstatelib.org/ldb_files/imported/Trustees/Trustee_Institute/Everyday%20Leadership%20for%20Trustees.pdf

I'm a Trustee, Now What? http://www.njstatelib.org/ldb_files/imported/Trustees/Im_a_Trustee.pdf

1.8 - Trustees Serving in Different Types of New Jersey Libraries

Municipal Libraries (R.S. 40:54-9)

Under New Jersey law, a municipal library board of trustees consists of seven to nine members, one of whom is the mayor or other chief executive officer of the municipality, and one of whom is the local superintendent of schools or the principal or highest school official. The latter two statutory ex-officio members may appoint alternates to represent them.

The mayor or other chief executive officer appoints the other five to seven members of the board. At least four of these must be residents of the municipality. Upon the expiration of the term of office of any trustee, the mayor or other chief executive officer appoints a member for a term of five years in the same manner as the original appointment was made. Appointment to a vacancy occurring on the board before the term of that seat expires is filled for the unexpired term only.

Association Libraries

Under New Jersey law, an association (private) library is governed by a board of trustees incorporated as a non-profit corporation (Title 15A, N.J.S.A.). The corporation (association) determines the method of selection or appointment of trustees.

County Libraries (R.S. 40:33-7)

Most county libraries are governed by a county library commission consisting of five members appointed by the board of chosen freeholders. Upon expiration of the original appointments, the appointments are made for a five-year term. Vacancies occurring on the commission are filled for the unexpired term only. County libraries serve fourteen counties.

In the event of a charter change in any county having a county library, the board of chosen freeholders may, under the terms of the charter change, terminate the county library commission and appoint a library committee with advisory powers only.

Joint Libraries (R.S. 40:54-29.10)

Under New Jersey law, the board of trustees of a joint library consists of the mayor or other chief executive officer of each participating municipality, the superintendent of schools or highest school official of each municipality and three citizens appointed by the mayor or other chief executive officer of each municipality. Two of the three citizens must live in the same municipality. The initial appointments are for terms of three, four and five years. Thereafter, the term of the citizen appointment is five years. Vacancies occurring on the board of trustees are filled for the unexpired term only.

Online Resources

Library Law Establishment and Operation of Libraries:

http://www.njstatelib.org/services_for_libraries/resources/library_law/#part1

Library Structure and Funding:

http://lss.njstatelib.org/lss_files/Library%20Structure%20and%20Funding%20Feb%202014_0.ppt
[X](#)

1.9 – The Operation of a Library Board

Library boards work because of the leadership abilities and commitment of each member. The most important work of the board is conducted at board meetings. Most importantly, individual trustees have no legal authority over the library. Any change in policy or other governing act must be brought before the entire board. The board only has authority when it makes a group decision in a legally constituted meeting (See Open Public Meetings Law NJSA 10:4-6)

Generally, boards meet monthly at a time convenient for the members. Under New Jersey State law, trustee shall hold their office for five years from the date of appointment and until their successors are appointed.

Every board should have a set of policies and procedures for its own governance and operation just as it does for the operation of the library. These are called bylaws, and they give the board its framework for operation. Bylaws may not supersede state library law and should be reviewed and updated annually. Bylaws are defined as regulations made by a public association for the regulation of its own local or internal affairs and its dealings with others or for the governance of its members.

Online Resources

Sample Bylaws: <http://www.njstatelib.org/wp-content/uploads/2013/01/Sample-By-Laws.doc>

Among the keys to success for a board are:

- ◆ a board composed of trustees giving as equally as possible of time and talent
- ◆ officers following procedures and accepting the leadership role
- ◆ a presiding officer who knows the appropriate use of parliamentary procedure to move meetings and to allow and encourage full participation of every trustee
- ◆ bylaws and procedures which cover typical situations and assign functions
- ◆ meetings held frequently enough to do the work without rush but planned to move along
- ◆ agendas that quickly cover the routine, then proceed to plans, reports and issues
- ◆ minutes that offer a fair and truthful written record of formal actions and decisions
- ◆ a director willing to work with the board to make meetings productive
- ◆ a board that considers the director integral to its actions and achievements
- ◆ a board that welcomes public interest and the media and encourages public attendance at its meetings
- ◆ a board that sees itself as representing and reflecting the community.

1.10 - Board Committees

Many boards find their operations run much more smoothly by creating a structure of subcommittees, consisting of several members (but not enough to constitute a quorum, since, in that case, subcommittee meetings would be subject to the Open Public Meetings Act). Subcommittees can discuss and investigate matters, then bring them before the entire board for discussion and approval. Board committees are advisory bodies that make recommendations to the entire board for consideration and action. Some common subcommittees are Finance, Personnel, Building and Grounds, Community Relations, and Policy. These committees are established in the bylaws for such specific purposes as the business of the board requires, and have no other power other than advisory. It is a best practice for committee reports to be written and submitted to the secretary for filing.

1.11 - Policies and Procedures for the Operation of a Board

A board should accept, adopt and follow orderly means of doing business and carrying out functions and responsibilities.

It is often difficult to distinguish policies from procedures. Generally, **policies** are those statements, which establish firm and usually long-term positions to which the board adheres. **Procedures** are the details or steps that carry out the policies.

If the board does not have a policy manual for its operation, begin by going through the board minutes for motions, which established policies in the past. There may also be a file of policies in the library or in the board files, which can be reviewed and expanded..

In any case, determine what policies are needed for your particular library. Thereafter, the board should use the manual as reference, and review its provisions, revising as necessary.

Boards have multiple members in order to tap the thinking of more than one person. Allow for many opinions but arrive at one conclusion in a concerted action.

The checklist below includes most of the **procedures** a board should adopt for its own efficient operation.

Procedures Relating to the Board

- ◆ establish regular times, days, dates and places for the meetings and the methods for temporary or permanent changes
- ◆ the agenda: who prepares it and when, how much detail and to whom distributed
- ◆ the minutes: who records minutes, the format, approval procedures and filing as public documents
- ◆ the officers: titles and basic responsibilities, method of naming, terms of office. One way to do this is to create a committee within the board once a year, which will recommend candidates for each office needed that year to the entire board for their vote.
- ◆ the director: relationship to the board, role in board meetings, expectation for reporting
- ◆ legal responsibilities: a listing of those items which the board must handle, use of legal counsel
- ◆ records: records to be kept and access to them
- ◆ reports: required or expected reports from the director according to law and board wishes, reports from committees, reports by trustees on continuing education

- ◆ budget: an outline of the process with a time table, role of the board in the sequence
- ◆ financial: figures the board expects to see. It's not necessary for every board member to review every bill. Rely on staff, the treasurer or a committee.
- ◆ who speaks for the board? It is important to assign the president the responsibility for representing the board, especially to the media.
- ◆ committee job descriptions: for standing and ad hoc committees to establish assignment and timetables
- ◆ friends: statement of the board's relationship to the Friends of the Library or library foundation, and vice versa
- ◆ board relations with the library staff
- ◆ volunteers: statement on the use of volunteers. (A separate volunteer manual is suggested if there is a volunteer program).

Boards should add their own practices – if they stand up to the criteria of being useful, fair and effective.

A Policies and Procedures for the Board manual can expedite and enhance the board's operations.

Online Resources

Effective Board Meetings

http://www.njstatelib.org/ldb_files/imported/Trustees/Trustee_Institute/EffectiveMeetings.pdf

1.12 – Recommending Good, New Trustees

Some trustees serve for many years on a board, however it is important for a board to think about succession planning. New trustees can provide a fresh perspective and create an infusion of energy and interest, along with an updated technical skillset to the board and library.

When bylaws or community procedures expect limited rather than limitless service, trustees should be prepared to help find their successors. Trustees should help to build the library board with replacements carefully trained and selected.

Boards and librarians usually exercise influence on the selection process even though the decision is that of an appointing body. If trustees have carefully cultivated relations with appointing officials, they will be able to make suggestions when appointments are made.

Boards would do well to talk about the next round of trustees – to think of good people to recommend for appointment – and how to recommend the best possible new board members.

In each community, the specifications will vary depending on the role and status of the library.

1.13 - Helping Governing Bodies Make a Good Selection

Boards can help appointing officials by describing the kind of person or skillset needed, and boards may even recommend specific persons with proven interest.

It is helpful to talk to appointing officials about the qualifications of board members. What does a trustee do? How much time does it take to be an involved trustee? What are the skills and characteristics most vital in a candidate?

For recommended **Core Competencies for Trustees**, see the Supplementary Documents. This document may be helpful to appointing authorities. Consider giving it to your appointing authorities with a cover letter outlining the importance of effective trustees.

Your influence and that of the director depends on how trustees are seen by the officials.

If your library is running well, serving well, well-regarded by the people with whom officials talk, then the trustees should have a voice in new appointments.

1.14 - Sample Library Trustee Job Description

Even though serving as a trustee or county library commissioner is a volunteer position, it requires the same hard work and willingness to learn as does a paid new job. A written job description may help potential trustees to understand the roles and responsibilities of the position. The following sample job description for a public library trustee shows what should be included.

Summary

Provides governance for the Public Library; establishes policy; sets goals and objectives; hires and evaluates the director; establishes and monitors the annual budget; signs necessary contracts; exercises such other powers, consistent with the law to foster the effective use and management of the library.

Responsibilities

- Hires, sets salary, evaluates and supervises a qualified library director to implement board decisions and directions and to carry out day-to-day operation of the library and its programs and services
- Participates in the ongoing responsibilities of the board, including establishment of library policies and planning for current and future library services and programs
- Determines and adopts written policies to govern the operation and services of the library
- Works with director to establish short and long range goals for the library
- Attends all regular and special meetings of the board, and participates in committees and activities as necessary; attends appropriate library functions
- Sets an annual budget and approves expenditure of funds; monitors budget and expenses throughout the year
- Understands pertinent local, state, and federal laws; actively supports library legislation in the state and nation
- Advocates for the interests and needs of the library
- Represents the interests and needs of the community
- Acts as liaison with the public, interpreting and informing local government, media and public of library services and needs
- Lends expertise and experience to the organization
- Maintains knowledge of library issues, laws, and trends, and their implications for library use
- Reviews and signs necessary contracts
- Reports activities to local officials

Qualifications

- Is interested in the library and its services
- Has the ability and time to participate effectively in board activities and decision making
- Is able to represent varied needs and interests of the community and of the library
- Has strong interpersonal and communication skills
- Has the ability to work with governing bodies, agencies and other libraries
- Has the ability to handle opposition and make decisions in the interest of library service

Time Commitment

- Generally, boards meet monthly at a time convenient for members.
- Under NJ state law, trustees shall hold their office for five years from the date of appointment and until their successors are appointed.
- Special meetings or committee meetings may be called as necessary at times that are convenient to members and that comply with the open public meeting law

If you have stressed the importance of the library and thus the role of trustees in a community's success, hopefully you will be asked to make recommendations.

If you use your influence to stress the importance of a hard-working, knowledgeable trustee of whom the community can be proud – you'll cause officials to think about appointments. And when the appointment is made, you will have the chance to foster a capable trustee by the example of a working board doing its job on behalf of the community.

Online Resources

21st Century Library Trends

http://www.njstatelib.org/services_for_libraries/consulting_services/library_trustees/trends/

Trustee Core Knowledge

http://www.njstatelib.org/services_for_libraries/consulting_services/library_trustees/core_knowledge/

Section 2: Policy Making for the Library

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Section 2: Policy Making for the Library

2.1 – Policies Explained

Policies refer to the philosophy, rules and regulations under which the library operates. The library board decides on policy. The implementation of policy through the use of procedures is the duty of the library's administration. As noted, procedures are the steps or details to implement the policies.

If the library does not have a policy manual, the board minutes may be checked for motions, which established policies in the past. As noted, if there is already a file of policies in the library or in the board files, these can be built upon.

In any case, the board and director should determine what policies are needed and what they should be for the particular library. Thereafter, the board and staff should use the manual and review its provisions, making changes as necessary.

Policies can be developed for day-to-day operations of the library, for the board's own operations and for special uses, such as for a volunteer program or for Internet usage.

Some policies are broad statements, such as those on intellectual freedom. Other policies are narrower, covering decisions such as the hours the library is open, personnel practices or fines.

Policies are public – open to view. They are designed to prevent favoritism and unfairness. They can answer questions and may prevent disagreements. They help to avoid making decisions on a case by case basis. They create a framework for a well- functioning library.

2.2 – Responsibility for Developing Policies

Determination of policies is a clear responsibility of the library board. The board should not, however, act alone. Rely on the director and staff for suggestions, on research from the literature and on the State Library and regional resources for models and consultation. Many libraries post their public policies on the library's website. Sample policies provide guidelines but ultimately local conditions must be incorporated to create effective policies. When in doubt about the legality of a policy, always consult your library's lawyer.

Policies should be assembled in a manual, and posted on a library's intranet or Internet, as appropriate. They should be reviewed with some frequency to reappraise the need. The board should establish a regular schedule of review.

Trustees reviewing and making policy should regard policies as the rules under which the library operates in pursuit of its goals. If policies are obsolete, they should be eliminated.

In developing or reviewing a policy manual, the best process is for the board and director to determine what policies are needed. The best policies are the ones that will be effective over a reasonable length of time.

2.3 – The Kinds of Policies a Library Needs

Below are examples of policies that the board should adopt. This is not an exhaustive list of policies.

1. General

- ◆ mission and goals statement
- ◆ specific objectives with timelines
- ◆ division of responsibilities between board and staff
- ◆ conduct of board meetings; Bylaws; Open Meetings
- ◆ public statements and announcements
- ◆ media contacts
- ◆ relationship with the Friends of the Library

2. Organization and Administration

- ◆ organization charts – clear lines of authority, chain of command

3. Personnel

- ◆ job descriptions
- ◆ performance standards
- ◆ salary schedule for each job classification
- ◆ employee recruitment, selection, and appointment
- ◆ Affirmative Action, Equal Employment Opportunity (EEO)– drug-free workplace – harassment
- ◆ conditions of employment
 - work hours, breaks, holidays, overtime, vacation, sick leave, jury duty, etc.
 - in-service training and continuing education
 - performance reviews and evaluation
 - promotions and transfers
 - disciplinary action
 - separation procedures
 - grievances and due process hearings
 - benefits – health, dental, Public Employee Retirement System (PERS), parking, etc.
 - association memberships
 - meeting and travel expenses

4. Finance

- ◆ relationship with governing body
- ◆ board and governing body's respective responsibilities for funding and expenditures
- ◆ financial procedures – make them clear to board, other officials, and the public
 - budgeting
 - accounting
 - reporting
 - auditing
- ◆ non-resident fees
- ◆ fines, charges for lost or damaged materials
- ◆ insurance and bonding
- ◆ solicitation or sales in library
- ◆ gifts, donations, memorials

5. Trustees / Continuing Education

- ◆ memberships (e.g., professional association dues, such as for NJLTA, ALTA, etc.)
- ◆ meeting expenses for trustees (e.g., reimbursement for mileage, parking, travel expenses, such as fees and fares for transportation, meals, lodging, conference registration, and tuition).

6. Buildings and Public Services

- ◆ hours of operation – holiday schedule – seasonal variations
- ◆ eligibility for building use
- ◆ eligibility to borrow, non-resident use regulations, registration
- ◆ loan periods, overdue policies, reserves, interlibrary loans
- ◆ confidentiality of library circulation and computer use records
- ◆ Reference and information
- ◆ Internet access and use
- ◆ computer usage
- ◆ meeting room use – special uses such as exhibits and displays
- ◆ patron conduct rules
- ◆ unattended children
- ◆ public safety
- ◆ programming and outreach services if appropriate
- ◆ bulletin board use, material distribution
- ◆ maintenance, security, lost and found
- ◆ copy, fax machines and other equipment use
- ◆ audiovisual equipment
- ◆ building emergencies
- ◆ inclement weather
- ◆ Americans with Disabilities Act (ADA) compliance

7. Collection Management

- ◆ intellectual freedom statements
- ◆ censorship, access and challenged materials procedures
- ◆ **Reconsideration of Library Materials Statement and form** – see Supplementary Documents for sample reconsideration form.
- ◆ **Library Bill of Rights** - see Supplementary Documents
- ◆ **Freedom To Read** – see Supplementary Documents
- ◆ collection development: selection and weeding
- ◆ gifts and donations
- ◆ special collections

8. Community Relations

- ◆ public relations and publicity
- ◆ coordination with other community agencies and local government
- ◆ cooperation with other libraries, reciprocal borrowing
- ◆ coordination with local schools
- ◆ volunteers
- ◆ Friends groups
- ◆ complaint procedures
- ◆ suggestion process for the public
- ◆ cooperative purchasing and interlocal service agreements

9. Professional Services

- ◆ utilizing legal services
- ◆ selecting an auditor or an attorney
- ◆ contract review

2.4 - Getting Help in Developing Policies

NJLA, NJLTA and the NJ State Library are resources on current practice.

Neighboring libraries are another source of sample policies and procedures, particularly on their websites. The Public Library Association's website, www.pla.org has information on its Planning for Policies. Additionally, a variety of sample policies from public libraries may be viewed at <http://libguides.ctstatelibrary.org/dld/help/samples>

Policies on personnel can be developed or reviewed with the help of NJLA Model Personnel Manual developed by the Personnel Administration Committee of the New Jersey Library Association. For more information, contact the NJLA at www.njla.org.

Also, municipal and county personnel policies should be considered when developing policy for the library.

In determining salaries, consult the New Jersey Library Association's Salary Guidelines available online at www.njla.org. Local salary ordinances should and the use of salary surveys within the library's service area should also be considered.

The high standards of performance required to make the library work effectively for the community should be recognized. Planning to supply the resources necessary to achieve them is imperative. They are a key part of the basis of personnel policies, salaries and benefits.

There are matters on which the board is the final authority by law or by local policy. Identify these and be sure they have matching procedures. Examples are the employee grievance procedures, handling of challenges to materials and required reporting.

Remember, sample policies offer helpful guidelines for policy development. However, ultimately the local situation and conditions must be assessed and incorporated into effective policies for each library.

Online Resources

Policy & Its Development

http://www.njstatelib.org/ldb_files/imported/Trustees/Trustee_Institute/Policy_and_Development.ppt

Will it Hold Up in Court? Writing Enforceable Policies

http://www.njstatelib.org/ldb_files/imported/Trustees/Trustee_Institute/EnforceablePolicies.ppt

Section 3: Personnel Matters

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Section 3: Personnel Matters

3.1 – Determining if Your Librarian Needs a Professional Librarian's Certificate. Obtaining a Professional Librarian's Certificate

Employing a librarian with a Professional Librarian's Certificate is a requirement for the receipt of state aid in communities of 7,500 population and above. The body having charge of any library in the state supported in whole or in part by public funds (except a board of education) and serving 7,500 or more may require the certificate of persons already employed. Librarian Certification Regulation:

http://www.njstatelib.org/services_for_libraries/resources/library_law/librarian-certification-regulation/

Professional librarian's certification for the State of New Jersey is issued by Thomas Edison State College. Certification was transferred from the N.J. Dept. of Education to Thomas Edison State College in 2004. See:

<http://www.tesc.edu/documents/NJStateLibraryCertificateApplication.pdf>.

3.2 – Recruiting and Selecting a New Director

One of the Board's most important responsibilities is to hire a capable and competent library director.

The needs of your library and your community will determine who will be the best person to fill the position. Once you determine what you most need in your director, begin your search by gathering necessary information to conduct a legal and productive recruitment campaign.

Some guidelines to assist the board in hiring the director may be found on the New Jersey State Library's website at:

http://www.njstatelib.org/services_for_libraries/consulting_services/library_trustees/hiring_and_evaluating_director/

1. Know the law.
Before recruiting and hiring the director, the board should learn about federal and state laws concerning Equal Opportunity, Affirmative Action and the issues of confidentiality, public information and documentation as they apply to the hiring process. Ask your attorney to provide you with the necessary information, including a short presentation with time for questions.
2. Develop a process and timeline.
Determine what process your search will take. Will it be done by the Search Committee or the entire board? Develop a timeline for the hiring process, which could take several months. Who will be in charge of the library during the search if the current director is gone? What responsibilities do you expect the Acting Director to handle? What is a fair salary for the Acting Director?

3. Write a Job Description
Before recruitment begins, the board needs to determine the purpose of the director's job, duties, and what qualifications are required. For a sample library director's job description, go to www.njla.org.

4. Determine the salary range and benefits.

5. Develop a realistic budget for the recruitment and hiring process. Consider how much money is available to spend on:

The acting director's salary

Advertisements

Travel and related expenses for bringing in out-of-town applicants for final interviews

Interviewing expenses, such as for lunch with the board

Long distance telephone expenses for verifying applicants' employment history, background checks, education, and references

6. Establish a Search Committee with appropriate representation of board and community to meet established needs for the next director.
7. Establish review criteria.

Determine the process and criteria by which the applications will be initially reviewed, based on the requirements determined in the job description. Some of the basic criteria used to review and screen applications might include:

Inclusion of both resume and cover letter

Completed application form

Educational requirements are met, and verified by the designated committee member

Basic experience and reference requirements are met and verified.

8. Screen candidates and make recommendations for finalists to be interviewed.
9. Notify candidates and set up interviews.
10. Prepare structured questions to be asked of all candidates, to ensure consistent treatment.
11. Conduct the interviews.
12. Select the new director.
In addition to reaching a consensus on their first choice, trustees should also determine their second and third choices at this point, in case the selected candidate turns down the board's offer or agreement with the candidate about the terms of employment cannot be reached.
Prepare a written memorandum of agreement regarding the employment offer, which should be signed by both the library board president and the candidate.
13. Notify the staff and public of the appointment of the new director, as well as local

officials. News releases of the new director's appointment should be sent to appropriate media channels.

14. Monitor the probationary employment for new director.

Make several points in your advertising and recruiting efforts.

- ◆ Don't delay about searching for a new director even if the departing director is retiring and has given plenty of warning. A thorough search for a new director may take as many as three to six months. A leaderless staff will deteriorate. Consider hiring an interim director until a permanent director is identified.
- ◆ Base your ad on what you need. Don't expect recent graduates to have years of experience. Energy may well rank above experience, especially in small libraries, where future top library leaders often get their experience.
- ◆ Provide the name of the person accepting applications, including telephone number and email.
Include the name of the town.
- ◆ Be honest about the library, its budget, hours of operation, and especially current problems.
- ◆ Offer a competitive salary.
- ◆ Do not specify experience unless it's really relevant. Don't mention age or sex.
- ◆ Offer to provide further details in a summary sheet to be sent to those who express an interest. This will form the basis of a good interview.
- ◆ Decide on the major qualifications your library needs, and base the interview on those needs. If you are going into a building program, skills in that area may be the most important at the moment.
- ◆ Give the same interview to all those interviewed. The same facts and conditions need to be shared with each candidate. Then explore the extra capabilities the interviewee could bring to the job.
- ◆ Prepare staff for the new director's arrival. It's a good time to reinforce the policy that gives the director specific powers and responsibilities with which board and staff cannot tamper.
- ◆ Provide an introduction to the community – especially to its leaders – for the newcomer. You've stressed that much of the job is relations with the public and government, so start out right and show that you see the director in that role.
- ◆ Set goals and objectives soon after the new director begins the job. Some of these will begin with the interview for the person you hire. Explain that evaluation will be based on how well the director fulfills the job description and the objectives agreed upon. It's not fair to set up other rules later!
- ◆ Don't wait until a probationary period is over to begin constructive evaluation. If the director is getting into trouble, help; don't let him or her sink.

For more information on Hiring a New Director, visit

http://www.njstatelib.org/services_for_libraries/consulting_services/library_trustees/hiring_and_evaluating_director/

3.3 - Evaluating the Director

Evaluation of the library director is so important that it begins with the hiring process. As the position is defined and then discussed with the prospective director, evaluation checkpoints are built in. A full evaluation should be done annually, or even twice a year.

For example, if the director is being hired partly to initiate a building program, the director's performance in this role is subject to evaluation, as are the usual requirements of running the library.

Fairness to the employee dictates that expectations be clearly noted. The director should know on what basis he or she will be continued and rewarded.

But what of the director who is a long-term employee? Perhaps that director has never had a formal evaluation by the board, or the evaluation process has been casual. The problem is that a single episode, which does not please the board, can be weighted too heavily. A regular evaluation calls attention to well-performed duties as well as to areas in need of attention. The latter should be addressed when they occur and not held in waiting for a performance review.

Make sure that your evaluation process has a written component, including documentation of both positive aspects and areas for improvement of the director's performance. The documentation should be reviewed with the director by the Board's Personnel Committee or other designated body. The evaluation should be signed by the director and designated board official. Such documentation provides guidance to future boards and may forestall legal difficulties or prove helpful to the board in case of problems.

3.4 - Setting Goals and Objectives with the Director

The best method of evaluation for a new or long-term director is to set goals and objectives for the director. These should be specific to the library. The library director's goals and objectives should be key frameworks of the library's overall planning process.

A library board, which is analyzing and planning progress all the time, will know what it wants over the next year, and the director should be able to suggest what is possible to achieve.

The director and board may have multiple goals covering periods longer than a year. Set specific objectives to accomplish these goals and establish timetables for their completion.

The director will be able to report on achievements of the objectives when performance is being evaluated. This provides an opportunity for the board to look at its own aspirations for the library and to assess how well the director is carrying out the assignments developed under the goals.

For information on evaluating a library director, visit http://www.njstatelib.org/services_for_libraries/consulting_services/library_trustees/hiring_and_evaluating_director/

3.5 – Appropriate Measures of Director Performance

Directors can be judged in many ways, but quality of performance is clearly the best measure.

- ◆ Has the director managed the operation of the library so as to provide the intended services?
- ◆ Has the director managed the staff so that operations are friendly, efficient and cost-effective?
- ◆ Has the director been a leader in making the library an important service in the community?
- ◆ Has the director moved forward satisfactorily on achieving the goals and objectives outlined for the library and for the director?
- ◆ Has the director provided sufficient information to the board so that it can perform its duties?
- ◆ Has the director kept in touch with new trends in library service and relayed these to staff and board?
- ◆ Has the director, through activity in the community, enhanced the importance of the library?

These are among the questions boards might use in assessing the director's performance. This should be done in discussion with the director, who should know that evaluation is going on all the time, not just in an annual review.

The importance of sharing problems as they arise cannot be over-emphasized. Boards and directors must work in tandem with constant communication. There should be no surprises to the director or the board during the annual performance review. Review of progress and need for improvement should be continuous to keep performance reviews balanced and objective.

For a sample of a director evaluation form, visit

http://www.njstatelib.org/ldb_files/imported/Trustees/Library%20Director%20Performance%20Appraisal.pdf

3.6 - Handling a Complaint

Occasionally, the library director becomes involved in an incident, which the board must handle. All too often, there may be reaction to the incident.

The board should have a policy and procedures on handling personnel complaints by the public, just as it has on handling internal personnel problems. Then any board member approached by an irate member of the public can honestly state that there is a procedure to be followed and that discussion of the problem before thorough investigation would be unfair and unproductive. Following established policy and procedures should minimize reactive results and provide for greater consistency.

If the director is aware of a personnel grievance regarding his or her employment, s/he should promptly notify the board president and chair of the Personnel Committee, who should determine whether a meeting is needed and when to notify board members. The board's role is to find the facts, ascertaining what happened by interviewing those concerned. Have staff

members submit statements in writing, according to procedure. Make sure you follow your complaint and grievance procedures. The board should not act, or make public statements, until it has had an opportunity to confirm the facts. Premature decisions are hard to undo. Review all board discussion and proposed actions with your attorney.

3.7 - What to Do if the Director Just Isn't Working Out

The time may come, even in the first year of a relationship, when it's evident to one or both sides that a parting of the ways is necessary. Any board decision needs to be fair and impartial, to avoid the risk of litigation. Guard against snap judgments, such as decisions made on the basis of a single complaint, or action based on opinion rather than fact. The director, of course, can decide to resign at any time (even if there is an employment contract, it may not be enforceable). Whatever the reason, unless you're sure the problem can be worked out and can convince the director of this, it seldom works to ask a director to stay.

Why do boards and director diverge and part? The fault is usually shared. Effective communication between the board and the director is a shared responsibility. If possible, the board and the director should review what happened. It is vital to correct a situation so that the next director and the board do not repeat the same mistakes.

An evaluation of a director – as well as a self-evaluation of a board – should be based on how the library is doing. If there is satisfaction in the community, if the board receives praise for the library, if there is movement toward goals – then board and director can afford to work it out. If somehow the community impression of the library is that the library is not meeting its needs, then the director and board should probably part. The board should ask itself what it could do better next time and make changes accordingly to ensure a successful search and transition to a new director.

3.8 – The Best Way to Handle Relationships with the Director and Library Staff

Library trustees should not interfere with the day-to-day operations of the library. They should not give instructions to a staff member other than through the director. Nor should they do the job of librarians or staff.

In some instances, board members may volunteer at the library. In these cases, the roles of volunteers, and particularly board members as volunteers, need to be established with written volunteer guidelines to ensure that appropriate board and staff roles are followed.

Board members function as representatives of the public, making recommendations based on their knowledge of community needs and establishing policies so that the library functions efficiently. Board members need to know a great deal about how the library functions. It is natural for a well-informed board member to be concerned about the operation of the library. However, board members should not be involved in the day-to-day administration of the library. For more information on roles and responsibilities of boards and directors, visit <http://www.ala.org/united/sites/ala.org.united/files/content/trustees/orgtools/role.pdf>.

Relationships With The Library Director

The board hires a director with qualifications and experience necessary for the position of administering the library. It is part of the hiring and evaluation process for the board to know

what the director does best and how the board can be helpful.

A good director shares problems with the board and seeks guidance on problem solving. A good board expects excellent performance and does everything it can to provide solid support and good working conditions.

It is especially important that the director tell the board what is possible to accomplish with the resources available. Boards naturally want the best, but need to understand costs in terms of funding, time and people. The director must assure that the board receives the information it needs to make timely decisions.

Relations With Staff

The library is an important asset of the community with a staff that works for community benefit through management, as represented by the board and director. The staff must accept and follow the leadership of the director, who provides professionalism and reflects the leadership of the board. The director must have the confidence of the board and be given authority to manage the library staff.

Boards should not confuse this administrative line by giving direct orders to the staff. It's all right to talk with staff members, remembering that, as a trustee, a board member is seen as somewhat different from an ordinary patron. Comments from a board member can be misconstrued. Board members should not circumvent the director's authority in regard to the daily operations of the library. As noted, if issues arise, proper channels for complaint should be followed to address problem areas. The board will not be able to hold the director accountable for staff performance if trustees get involved in staff management.

Boards might well discuss with the director what constitutes interference and what channels are appropriate for making suggestions. It is important to discuss this distinction with new board members during orientation programs for new trustees. (For more information on orientation see **For New Trustees** in Supplementary Documents.)

A good practice to prevent problems is to put the matter of trustee and director responsibilities on an agenda for discussion. Such a session might use the following generally accepted listing of divisions and commonalities of responsibilities.

3.9 – The Responsibilities of the Library Board and the Director

GOVERNANCE AND POLICY MAKING

The Board

Knows local, state, and federal laws which affect libraries.

Plays an active role in initiating and supporting beneficial library legislation.

The Library Director

Knows local, state and federal laws which affect libraries.

Plays an active role in initiating and supporting beneficial library legislation.

Understands powers conferred upon trustees by N.J. library laws.

Develops a long-range plan for library.

Adopts by-laws and procedures for board operations.

Determines and adopts written policies to govern the operation, use, and programs of the library.

Establishes a written library materials selection policy reflecting community needs and the Library Bill of Rights, including a Freedom To Read statement. Defends policies upon challenge. Reads information provided and keeps abreast of current library trends.

Authorizes membership application for participation in the N.J. Library Network.

Attends state and national library association meetings and workshops when possible.

Joins appropriate organizations, such as NJLTA, regional trustee associations and ALTA to work for improved libraries. Attends meetings pertaining to the New Jersey Library Network, such as annual and regional trustee training.

Establishes a cooperative working relationship with officials of the local governing unit.

Submits an annual report to the governing body of the community served by the library, and to the N.J. State Library.

Attends all board and committee meetings, as assigned. Promptly carries out all special assignments.

Understands powers conferred upon trustees by N.J. library laws.

Assists the board in developing a long range plan.

Administers the library within the framework of the library's plans, policies, and budget.

Recommends needed policies to board.

Provides examples and sources of information.

Interprets policies to staff and to the general public. Implements policies of the board. Provides board with recommendations and materials for study or background.

Keeps board informed of services, policies, and activities of the Network.

Joins and attends state and national library association meetings and workshops when possible.

Joins appropriate organizations working for improved libraries.

Attends meetings pertaining to the New Jersey Library Network.

Establishes a cooperative working relationship with officials of the local governing unit.

Prepares all needed library reports for the appropriate bodies.

Attends all board and committee meetings except those covered under the circumstances of the **Open Public Meetings Law** (for more information on the Open Public Meetings Law, go to N.J.S.A. 10:4)

Reports monthly to the board on current activities, financial status, and progress

toward implementing the plan for the library.

PLANNING

The Board

Establishes a planning process.
Studies and analyzes the community to determine its needs. Considers the strengths and the weakness of library service to better meet needs.

Determines goals and objectives for the library.

Sets priorities and decides on a course of action to implement the plan.

Evaluates the plan. Reviews goals and objectives at least annually and evaluates progress. Measures progress of the plan and revises as necessary.

The Library Director

Participates in the planning process.
Assists the board in identifying the needs of the community.

Assists in the development of goals and objectives for the library.

Administers library to fulfill the goals, objectives and plans as adopted by the board; suggests revisions as needed.

PERSONNEL

The Board

Establishes personnel policies.

Develops personnel policies for staff selection.

Employs a competent and qualified library director.

Determines compensation, fringe benefits compensation, and working conditions for all employees, subject to federal, state, and local law.

Evaluates performance of director.

The Library Director

Hires and directs staff members in accordance with library personnel policies.

Provides information on fringe benefits and working conditions.

Evaluates performance of staff.

Works with the board to establish personnel policies that include in-service training and continuing educational opportunities for staff members.

Establishes criteria for performance evaluation of the library director.

Establishes personnel policies that include in-service training and continuing educational opportunities for staff members.

Considers establishment of career ladders within the library, where feasible.

Provides a planned orientation program for new trustees and continuing educational and training opportunities for all trustees.

Assists in orientation of new trustees, including introduction to library policies and procedures, departments and staff.

Encourages continuing educational opportunities for trustees and staff.

FINANCE

The Board

Knows the budget procedures of the local governing unit.

Works with the library director to formulate a budget to carry out the library's goals and objectives.

Presents, explains, and defends the budget to public officials and the general public.

Helps to secure necessary funds for staff and services.

Stays within the budget.
Explores ways of increasing the library's funding.

Reviews complete, accurate and current records on finances, personnel, and inventory.

Submits an annual report to the chief financial officer of the municipality and

The Library Director

Knows the budget procedures of the local governing unit.

Prepares an annual budget in consultation with staff and board.

Provides a report of budget status and expenditures at each board meeting.

Supplies facts and figures to the board to aid in interpreting the library's financial needs.

Works with the board to interpret budget and financial needs of the library to public officials and the general public.
Stays within the budget.
Explores ways of increasing the library's funding.

Maintains complete, accurate, and current records on finances, personnel, and inventory.

Prepares annual report for the board.

to the N. J. State Library.

Investigates means of cooperation with other libraries for effective use of funds and expansion of services.

Investigates means of cooperation with other libraries for effective use of funds and expansion of services.

Provides adequate insurance coverage for buildings, materials, personnel, and the general public.

PUBLIC RELATIONS

The Board

Establishes, supports, and participates in a planned, on-going, marketing and public relations program in order to increase community awareness of the library and its services.

The Library Director

Helps to establish, support and participate in a planned, on-going marketing and public relations program in order to increase community awareness of the library and its services.

SUMMARY

A good board is one that:

1. Takes seriously its legal responsibility to provide the best possible library service to its community.
2. Initiates studies and analyses of the community, its needs and the ways in which the library can respond to those needs. This may include new or expanded relationships with other community agencies and with other library boards.
3. Is creative and innovative in serving community needs, including special outreach efforts to serve groups who are underserved.
4. Adopts goals and objectives, reviewing and revising them periodically and evaluating the library activities adopted to carry out the objectives.
5. Keeps its library facilities attractive, well maintained and available to all.
6. Faces financial problems directly, with the goal of quality service as its top priority, and works for increased tax support where necessary.
7. Works effectively as a board and with the library director.
8. Accepts responsibility for compensation of its staff, for personnel procedures, and for staff benefits that will enhance working conditions.

9. Participates actively in professional organizations such as the New Jersey Library Association (NJLA) and the New Jersey Library Trustee Association (NJLTA).

3.10 – The Effective Use of Volunteers

Many libraries in the United States have their origins in volunteer groups – from women's clubs to the creation of public facilities from private collections. The desire to help the library may be supported through volunteerism.

The use of volunteers should be carefully planned, beginning with determining the purpose of library volunteers. Some questions that may yield answers: Does the library have an adequate staff to provide needed services? Are there roles volunteers can fill that make a positive contribution to library services? Volunteers are not a substitute for the core of paid staff that is necessary to provide good library service. Since volunteers are not paid, the expectation should not be for them to work as substitutes for staff or on a regular schedule. They may or may not be available consistently. Maintaining dependable library service is very important if the community's needs are to be met.

A volunteer program should have its own goals and objectives, a plan, and a management system.

It is important that staff be fully involved in developing the concept of a volunteer program. Staff should be involved in the planning process to establish roles and to iron out difficulties, and to work toward the success of the volunteer program. If this is done, staff "resistance" to the program, if any, may be eliminated. Staff should discuss what gaps might be filled by volunteers.

Some examples of staff work, which might be done by volunteers, are:

- ◆ shelving books
- ◆ checking out and receiving books
- ◆ setting up displays and exhibits
- ◆ processing and repairing of materials
- ◆ greeting visitors and providing basic information
- ◆ contacting patrons to inform them of availability of requested materials
- ◆ maintaining depository collections in nursing homes and other sites
- ◆ delivering books to home-bound people

And, given talents and ability along appropriate lines:

- ◆ creating press releases or radio or TV spots, and delivering them to editors and program staff during friendly visits
- ◆ planning and executing programs in the library, including story hours and demonstrations
- ◆ speaking to community organizations about the library
- ◆ developing major events such as art fairs, book sales and special observances
- ◆ helping to organize advisory groups to talk with librarians about special collections
- ◆ assisting to convey planned messages to groups and individuals about library events or

- special interests
- ♦ training to be a stand-in for staff members who want to attend a workshop
- ♦ undertaking special projects for which the staff does not have time, such as oral history, newspaper clipping, developing mailing lists, showing videos, and arranging for discussion groups
- ♦ data entry

3.11 – The Organization of Volunteers

Ideally, a volunteer program in a library should have a staff member in charge. Often, the program is organized and operated by a volunteer, much in the manner of such groups in hospitals, nursing homes and agencies.

Assuming a library of modest size, these are the elements of a volunteer program operation:

- ♦ A coordinator of volunteers, preferably hired, but probably a volunteer who likes to manage, has good skills in working with people, is reliable, and can give planned time
- ♦ An office or location with desk, file, telephone and computer, as well as access to a private interview area
- ♦ A list of jobs which volunteers may be invited to do, together with an estimate of the time requirement and the level of skill required
- ♦ An interview process which results in placing volunteers in the most suitable jobs
- ♦ A training program for volunteers covering job requirements, techniques and the library's functions and purposes
- ♦ A manual of operations setting policies for volunteers and including job descriptions and regulations
- ♦ A reward system coupled with evaluation. Rewards may be as simple as hours-earned mentioned in the library bulletin or local press; they should exist to say thanks to the volunteer
- ♦ A recruitment system that makes it possible for new people to join the volunteer corps
- ♦ A method for dismissing a volunteer who does not perform
- ♦ Funds and an accounting system to cover out-of-pocket expenses for volunteers who do more than come to the library

3.12 - Friends of the Library Groups

Friends of Libraries organizations comprise a special group of volunteers, varying in function from library to library. A library board's perception of the Friends group can vary greatly from community to community.

In order to develop a positive relationship between the board and the Friends, each group needs to understand the other's role and mission. The Friends should have bylaws and procedures to guide their activities and to establish their role. Likewise, the library board with a Friends group would do well to define its role through its own policy manual. The library staff should also understand the Friends' roles and any limits pertaining to Friends' requests of library personnel and resources.

Successful Friends groups find that having a liaison to the library board is helpful. Boards of trustees often designate a board member to serve as a liaison to the Friend's Board. The

function of a liaison is to know what is going on, what directions are being pursued, and what aid is needed. Frequent communication between the groups is a key ingredient towards developing trust, a positive relationship, and for both organizations to work to improve the library.

The majority of Friends organizations are healthy adjuncts to a library. Most concentrate on raising funds through special projects and on serving as library advocates in the community. They are often involved in lobbying for the library and for library legislation. Some members do aspire to trusteeship. Former board members may gravitate to the Friends to continue their interest in and service to the library.

Making Friends successful, however, depends on making the group a real organization. The organization may choose to affiliate with a state or national unit. The group should be structured to include these elements in a set of bylaws:

- ◆ purpose of the organization
- ◆ legal basis (consult an attorney on meeting state and national requirements as a not-for-profit group, including tax status)
- ◆ structure: officers, outlining duties and terms, election of officers and board members, committee structure, meetings schedule and normal agenda, designation of the annual meeting, handling of funds, relationship to the library and the library board.
- ◆ disposition of funds
- ◆ membership requirements and dues.

Boards should accept the limitations Friends set for their group. Some groups will put on one fund-raiser a year; others are active in seeking donations year-round. The most successful groups plan ahead and guarantee to do certain tasks during the year. Some groups mix volunteerism with fundraising activities as a way to support the library.

Friends supplement the work of the board as well as provide a link to the community. Boards can contribute to harmonious relations by recognizing the Friends, asking for help in planning mutually beneficial activities and giving support to the concept of a community group willing to work to benefit the library.

For more information on Friends of Library groups and board and Friends relationships, see <http://www.ala.org/united/> (United for Libraries) or http://www.njstatelib.org/services_for_libraries/consulting_services/library_trustees/friends_of_library/

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Section 4: Laws Governing Trustee Actions

4.1 - Overview

The trustee board of an association library is formed under N.J.S.A. 15A which governs the formation and operation of all non-profit organizations in New Jersey. While the trustees of association libraries are not bound by much of the following information relating to New Jersey Law, compliance is highly recommended as a best practice.

New Jersey law governs the formation and activities of the trustees of municipal libraries (N.J.S.A. 40:54-1, et seq.) joint libraries (N.J.S.A. 40:54-29.3 to 29.25, and N.J.S.A. 40:54-1, et seq.) and the commissioners of county libraries (N.J.S.A. 40:33-1 et seq.). These boards and commissions are also required to follow general New Jersey law as the public library is a local government unit.

Full text of the laws covering each type of public library (Part 1), State Aid (Part 4), Library Employees (Part 5), Purchasing (Part 6) and more may be found at http://lss.njstatelib.org/library_law. Printable statutes and regulations covering the establishment, operation and funding grouped by type of library may be found at http://lss.njstatelib.org/director_resources. Review the laws periodically to assure that the board is exercising its powers and duties properly.

Trustees may recommend changes to the law. Suggested changes to State statute should be directed to the New Jersey Library Association or the New Jersey Library Trustee Association. Suggested changes to regulation should be directed to the State Library for consideration (See Rulemaking Petitions at http://www.njstatelib.org/services_for_libraries/resources/library_law/rule-proposals-notices-adoption/)

Library Support Services, the division of the State Library that is responsible for providing support to public library administrations, is a resource available to you as questions arise. Staff members provide confidential counseling to library trustees, directors and staff and serve as resources for the board's attorney. *Contact information may be found in Section 11.*

4.2 - Recommended Best Practice:

When dealing with legal issues, the board consults with an attorney for interpretation of the law. The lawyer should be familiar with library law as well as personnel issues. It is recommended as a best practice that the board retain its own attorney, and that a line item be retained in the budget to pay for legal services. To avoid conflict of interest, the board should retain an attorney that does not represent the municipality/county.

1. New Jersey Laws

4.3 - Open Public Meetings Act

Under the New Jersey Open Public Meetings Act (http://www.njstatelib.org/services_for_libraries/resources/library_law/page25-2/), meetings of public bodies must be open to the public. "Meeting" is defined as any gathering, whether corporeal or by means of communication equipment, which is attended by or open to all of the members of a public body held with the intent of discussing public business of the body. It does

not include such gatherings attended by less than a majority of the members.

Written notice at least 48 hours in advance is required to be posted in a public place and transmitted to at least two newspapers designated to receive the notices. Where notice of meetings has been filed annually, notice of change or exceptions would have to be made. Required procedures should be noted in the library's policies and followed automatically. There are additional provisions to the law; see the website above for the full text.

The circumstances under which it is legal and those when it is not legal to go into 'Closed Session' or 'Executive Session' are often confusing. The law only permits closing the meeting to the public to discuss certain, specific matters. These are summarized here, but you should read the law to be sure your closed session is for a legal purpose and is done in a legal manner. Review regulations governing the **Open Public Meetings Law** with your attorney.

You may have a closed session for the following reasons:

- ◆ confidential matters, as defined by Federal or State law;
- ◆ if the release of information would impair a right to receive funds from the U.S. government;
- ◆ information which is an unwarranted invasion of individual privacy, as listed in the Act;
- ◆ collective bargaining agreements, or proposed agreements;
- ◆ matters involving real estate, banking or investment, which could adversely affect the public interest if disclosed;
- ◆ tactics and techniques that protect public safety and property, which could be impaired by disclosure;
- ◆ investigations of violations or possible violations of the law;
- ◆ litigation or contract negotiation to which the library is, or may become, a party;
- ◆ matters involving client-attorney privilege;
- ◆ any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of, promotion or disciplining of any specific prospective library employee or current library employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting (Rice Letter is required);
- ◆ deliberations after a public hearing that may result in a specific civil penalty or suspension or loss of a license or permit of a responding party.

4.4 - Open Public Records Act (OPRA) and Record Retention Schedules

The intent of these laws is to provide greater access to public records. Should the agency receive a request, the agency must reply within seven business days with the requested information, without the information if it will take longer to retrieve it, or with a denial of the request.

All government bodies are legally required to keep some records in perpetuity and some records for a limited time (including electronic). In order to determine the length of retention, see *Record Retention Schedule* at http://www.njstatelib.org/services_for_libraries/resources/library_law/ (Part 7: Miscellaneous). Library patron records are excluded by law.

4.5 - Confidentiality of Library Records

Library records which contain the names or other personally identifying details regarding the users of libraries are confidential and shall not be disclosed except in the following circumstances: the records are necessary for proper operation of the library, disclosure is requested by the user, or disclosure is required pursuant to a subpoena issued by a court or court order (NJSA 18A:73-43.1)

4.6 - Return of Excess Funds to Municipality (N.J.S.A. 40:54-15)

Only about six libraries are currently in a position to have and return excess funds, but all municipal and joint libraries are covered by this law and must assure compliance annually. The director or auditor should annually prepare the Transfer Calculation Form to establish whether or not the library has excess funds to return to the municipality. The form and further information about the process may be found at [Packet for proposed return of taxpayer funds](#). The State Librarian must approve all applications to return funds.

4.7 - Purchasing and Disposal of Property

As local government units, all municipal, joint and county libraries must follow New Jersey law in purchasing and disposal of property. See Resources in Section 11 for further information.

4.8 - Minimum Standards for distribution of Per Capita State Aid

Per Capita State Aid regulations outline minimum standards for public libraries, as well as the processes that libraries must follow to meet those standards. These regulations are reviewed and subject to revision every seven years. For access to Per Capita State Aid regulations and minimum standards, go to http://lss.njstatelib.org/library_law/library_law_page_02

4.9 - Other State Laws and Local Laws

- Libraries are required to provide and display voter registration forms.
- Gifts and Donations made to the library may be accepted by the trustees, but the trustees may not use library funding to give gifts and donations.
- New Jersey requires that public employees be residents of New Jersey and municipalities and counties may also establish a residency requirement.
- Trustees take an oath of office and submit an annual financial disclosure.
- The library accounts must be audited annually by a CPA for association libraries or an RMA for all other types of public libraries.
- Appropriate processes of purchasing and discarding of property must be followed.

Trustees of municipal and joint libraries should review the provisions of N.J.A.C. 15:21-12 regarding permissible uses of library funding and clarification of reports and audits.

Many state and local laws not specific to public libraries will also be of interest to trustees. For instance, local zoning laws, parking restrictions, building codes, and safety restrictions need to be considered.

2. Federal Laws

Numerous federal laws affect public libraries. A selection of these laws of special interest to trustees includes the following:

4.10 - Americans with Disabilities Act (ADA)

It is not unusual for boards to have questions about the federal 1990 Americans with Disabilities Act (ADA). This major piece of civil rights legislation made it illegal to discriminate against people with physical, mental or emotional disabilities. It requires public facilities, such as public libraries, to make reasonable modifications or accommodations to ensure equal access for these individuals.

Boards that choose not to modify the library to make it physically accessible must be able to demonstrate that people who do not have access to the building can receive substantially the same services as those who can enter the building. For more information on ADA, visit www.ada.gov.

4.11 - Employment Laws

Libraries must abide by federal and state laws that prohibit discrimination in relation to hiring, promotion and all other working conditions of employment. It is illegal to discriminate against qualified applicants on the basis of sex, race, creed, color, religion, age, country of national origin, individual life style, or physical or mental disability. Stated policies should demonstrate that the library board makes every effort not to discriminate.

Most library employees fall under minimum wage and fair labor standards laws. Boards should consult with the library attorney regarding how these and other federal laws affect the library. Note that library employees are not covered by New Jersey minimum wage law.

4.12 - Children's Internet Protection Act (CIPA)

CIPA requires libraries that receive e-rate discounts or Library Services and Technology Act (LSTA) funds for Internet connectivity, Internet access, or computer purchases to filter all computers including staff computers. Filters must block certain defined categories of IMAGES, not text.

For more information visit www.ala.org/advocacy/advleg/federallegislation/cipa.

4.13 - E-Rate (Telecommunications Act of 1996)

In 1997, the Federal Communications Commission (FCC) adopted a Universal Service Order implementing the Telecommunications Act of 1996. The order is designed to ensure that all eligible schools and libraries have affordable access to modern telecommunications and information services. Each year, as funding authorized by Congress is available, eligible schools and libraries are provided with discounts on authorized services. These discounts are often referred to as the "E-Rate." For more information on E-Rate, visit www.sl.universalservice.org. Free filing assistance may be available. To see if you qualify, contact services@jerseyconnect.net.

4.14 - Library Services and Technology Act (LSTA)

In 1996, the Library Services and Technology Act (LSTA) replaced the Library Services and Construction Act (LSCA), which had been in operation since the 1950s. LSTA, which is administered by the federal Institute of Museum and Library Services (IMLS), helps states develop electronic networks among libraries. These networks make it possible for libraries to share information resources as well as to provide library services to users with special needs.

LSTA funds are awarded annually and administered by the State Library, for purposes deemed important in and by each state. To receive funds, each state develops an LSTA Five-Year Plan, which is approved by the IMLS see (www.imls.gov). These funds are used for State Library programs, such as those offered by the Talking Book and Braille Center (TBBC); and for statewide projects such as access to statewide databases. For more detailed information, see <http://www.njstatelib.org/about/budget-state-federal/lsta/>.

4.15 - USA Patriot Act and Intellectual Freedom

Libraries need to have established policies and procedures to cover situations where library records could be subpoenaed or investigated by law enforcement officials. All staff and board need to be apprised of appropriate legal processes before this situation arises. Prompt access to legal services to review any law enforcement requests is imperative.

Visit <http://www.ala.org/offices/oif/ifissues/usapatriotact> for a better understanding of this issue.

4.16 - Intellectual Freedom (Censorship Defined)

The concept that an individual has the right to choose what he or she wishes to read or see is called “intellectual freedom” or the “freedom to know, and the freedom to read.” As part of our freedom of expression, it is a right guaranteed by the United States Constitution. This freedom is expressed every day in the variety of materials selected for availability in libraries.

Library trustees have the obligation to see that all persons have the right to access the materials they need and want, and to build a library that meets many needs in the community. When called upon to defend these rights, trustees have recourse to the **Freedom to Read** statement adopted by the American Library Association, the Association of American Publishers, and by public and other libraries throughout the country. See the Supplementary Documents for this statement and similar ones that can be added to the policy manual of your library.

In addition, libraries should adopt policies dealing with access to the borrowing records of users, in compliance with the Confidentiality of Library Records Law (N.J.S.A. 18A:73-43.2), other pertinent state laws, and the USA Patriot Act.

The American Library Association publishes an IntellectualFreedomManual (by Rudolf Steiner. 8th ed, ALA, 2010; ISBN 9780838935903) containing basic principles and interpretation and offering advice and assistance in dealing with complaints and handling the censor.

4.17 - Responsibility of the Trustee in Upholding Intellectual Freedom

Trustees should provide for a process by which complaints in this area can be handled in an orderly fashion. Normally, the library director would receive any complaints and deal with the initial explanation of the library's policies. If this contact is not sufficient, the sample complaint form included in the Supplementary Documents of this manual can be used to obtain details about the concern. The board of trustees is made aware of the complaint and should be prepared to address the issue when it comes to the board.

Trustees should be prepared for handling complaints by understanding the policies they have adopted. An understanding of how materials are selected and how staff utilizes reviews and other information before purchasing an item is essential. A materials selection policy is mandatory for a library. Such a policy states the general purpose of the library, its mission to offer variety and its priorities in spending materials budgets. The guidance of such a statement is useful to staff as a

reminder that there are priorities that need to be satisfied.

While the usual complaint is on the controversial content of a book or other material, complaints are often made that librarians are censoring by what they choose to order and not to order (e.g., that controversial materials are simply not purchased). If the material selection policy is followed, this complaint will not be valid. Trustees need to check with the library director to monitor how the wide mission of the library is being met through its collection. See the **Reconsideration of Library Materials** form in the *Supplementary Documents*.

Trustees also need to understand the rationale behind their Internet access and/or filtering policies, and be able to explain and justify them to the public in case of complaint.

4.18 - Risks of a Lawsuit to Board Members

The legal power of the board is derived from the board's actions as a body. These actions are subject to public scrutiny and may be challenged in court. Board members need to be well-informed and knowledgeable about library issues and law in order to make informed decisions.

Any person accepting a position of public responsibility today accepts legal responsibilities and the possibility of liability. Suits are likely to include individual board members, even though trustees cannot be sued individually (see N.J.S.A. 2A:53A-7.); however, the board can be sued collectively. A recommended best practice is for the board to have, on retainer, an attorney knowledgeable about library law who is available to advise the board on difficult legal issues, as well as the inevitable contract and employee relations matters.

New Jersey library law is quite clear on giving powers and duties to the library board, but no law can be definitive or anticipatory. Library boards and their trustees can and have been sued. It is a risk that can be dealt with through proper insurance and careful attention to duty.

Library boards must perform in an ethically, accurate, and timely manner. They must also stay in compliance with policy and the law.

Most censorship episodes, for example, do not go to court but could. A resource in this area is the Freedom to Read Foundation (800-545-2433, ext. 4226 or visit www.ftrf.org). This group raises funds for support of those challenged and has publications and offers advice in the area. The New Jersey Library Association has an active Intellectual Freedom Committee (<http://www.njla.org/content/intellectual-freedom-subcommittee>) which offers assistance. The American Library Association also has such a committee (Office of Intellectual Freedom, <http://www.ala.org/offices/oif>) which publishes a newsletter that is a valuable source of information on censorship across the country.

A board faced with a suit will need to retain legal counsel promptly and follow the advice. (The board should never hire a lawyer who is a member of the board). Board members should be careful to avoid public discussion as individuals. Your legal counsel and designee of the board should serve as spokespersons. The library should have written policies, procedures, and a designated chain of command as to who is the library's official spokesperson in public and media communications and legal matters. All trustees and staff members should be aware of this.

The best defense, of course, is responsible performance, observing the law, following policies

and staff and board training. The rule is to stay within known legal bounds and seek legal advice if you have questions about your right to take an action.

Liability insurance for the board should be a part of the liability package paid for by the library.

4.19 - Establish a Code of Ethics

The board should establish a code of ethics to prohibit conflict between public duty and private interest by specifying rules of conduct for public officers, including library trustees. The code covers confidential information, gifts, and other economic benefits or compensations. (see Supplementary Documents)

Section 5: Funding

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Section 5: Funding

5.1 - Fiduciary Responsibilities

New Jersey library law is quite specific in its assignment of duties and responsibilities to boards of trustees. It makes trustees responsible for the use of funds available for library purposes and for creating reports substantiating use of these funds.

Boards should review current library laws (see Section 4 or http://www.njstatelib.org/services_for_libraries/resources/library_law/) and should review and understand the requirements, methods and relationships established in the law.

5.2 - Overview

Funding of public libraries is addressed in this manual because assuring adequate funds for library services is a prime responsibility of trustees. They are accountable for the use of funds, and are responsible for informing elected officials about the funding level necessary to provide efficient and effective library service that meets the needs established by the library's strategic plan. In addition, it is essential that trustees are knowledgeable about supplementary funding sources detailed below.

A major source of library funding has resulted from new laws that assist libraries. In the long-term, secure financing may well depend on appropriate legislation, and trustees can play an important role in advocating for such statutes. Advocacy efforts are spearheaded by the New Jersey Library Association, and supported by the New Jersey Library Trustee Association. Both of these organizations are membership organizations and further information may be found at <http://njla.org/> and <http://www.njlibrarytrustees.org/>.

For more information on library budgets, funding formulas and statutes, visit http://www.njstatelib.org/services_for_libraries/consulting_services/library_trustees/.

5.3 - Local Funding Sources by Library Type

The major source of public library funding comes from local property taxes. State law allows the governing body of a municipality or county with an established public library or county library system to levy taxes in support of library service.

Association Libraries

Association libraries may receive funding from the municipalities in which they are located or any other municipality (N.J.S.A. 40:54-35). Those association libraries receiving public funds pursuant to N.J.S.A. 40:54-35 must be open to the public. Most association libraries serve municipalities that are also members of a county library system, and the association libraries may receive services paid for through the county library dedicated tax.

County Libraries

With the exception of Cumberland County Library and Morris County Library, all county libraries are supported by only those municipalities in the county that have not established a municipal library. Cumberland County Library is supported by all municipalities in the county regardless of municipal library status (N.J.S.A. 40:33-5.1), and Morris County Library has a two-tiered system (N.J.S.A. 40:33-19). For all types of county libraries, funding is provided through the apportionment of the

budget sum among the member municipalities. The sum is raised by taxation and must be no less than 1/15 of a mill per dollar on the assessable property valuation of the municipalities in the county library system (N.J.S.A. 40:33-9).

Joint Libraries

Joint libraries are supported by the local property taxes of their member municipalities. A minimum level of funding for joint libraries has been established 1/3 of a mill on each dollar of assessable property within the service area based on the equalized valuation as certified by the Director of the Division of Taxation (N.J.S.A. 40:54-8). Additional amounts needed, as judged by the member municipalities' governing bodies, may also be raised by taxation. Increases are limited to 15% of the previous year's expenditures. Increases beyond 15% must be approved by the State Librarian. The joint library agreement provides for the apportionment of the annual and special appropriations among the municipalities based on the assessed valuations of the municipalities, their populations, or other such factor as agreed upon by the governing bodies.

Municipal Libraries

Municipal libraries are supported by local property taxes. A minimum level of funding for municipal libraries has been established at 1/3 of a mill on each dollar of assessable property within the municipality based on the equalized valuation as certified by the Director of the Division of Taxation (N.J.S.A. 40:54-8). Additional amounts needed, as judged by the municipality's governing body, may also be raised by taxation. Increases are limited to 15% of the previous year's expenditures. Increases beyond 15% must be approved by the State Librarian.

5.4 - State Support

State Aid is provided by the New Jersey Legislature and administered by the New Jersey State Library. While the law allows for many different types of State aid to different types of libraries (see N.J.S.A. 18A:74-1 et seq. and N.J.A.C. 15:21-1.1 et seq.), Per Capita State Aid has been the only grant program funded by the legislature for many years.

Per Capita State Aid is calculated according to a formula that includes the annual amount of funding from the legislature, each municipality's/county's level of support to the library calculated as a ratio (current year local tax support to the library divided by the prior year's equalized valuation of the political entity or entities), the population of the library's legal service area and the library's compliance with the minimum standards established by regulation (N.J.A.C. 15:21-2.1 et seq.). There are five aid categories, ranging from \$.50 to \$1.50 per capita. Minimum standards are based on the size of the legal service population and include such categories as: appropriate number of state-certified librarians, collection size, annual collection growth rate, periodical subscriptions, number of open hours per week and staff training.

Network Aid is provided by the New Jersey Legislature and administered by the New Jersey State Library. It is used to support the programs and services of the New Jersey Library Network. Members of the New Jersey Library Network include the New Jersey State Library, the state's library cooperative, LibraryLinkNJ, and the public and private libraries of the state. Funds may be used for such activities as delivery of library materials, continuing education, pilot projects, and the licensing of statewide resources as well as staffing and other operating costs associated with these activities.

5.5 - Federal Support

Annual federal funding is provided through the Library Services and Technology Act (LSTA). This program is administered by the Institute of Museum and Library Services (IMLS). Each state receives an appropriation, to be used for the purposes of LSTA, based upon both a base grant as well as a population-based allocation. In New Jersey LSTA funds are used to support the programs, services and staff of the New Jersey Talking Book and Braille Center, and to provide funding for programs in the areas of literacy and diversity. Funding may also be used for other programs and services such as statewide resource licenses, the statewide interlibrary loan system and technology services and infrastructure.

The New Jersey State Library applies for and receives other federal funding as opportunity permits. Grants for statewide technology and infrastructure development, training for librarians and preservation training have been received over the years.

Individual libraries may apply for E-Rate subsidies discussed elsewhere in this manual. Individual libraries may also seek funding from government sources.

5.6 - Private Grant Funding

New Jersey State Library has been awarded private grant funds benefiting public libraries, primarily from the Bill and Melinda Gates Foundation. Grants from this foundation have provided computer hardware and software for poverty-eligible public libraries, computer training labs in some of these same libraries, computer training for library staff as well as programs to address the technology needs of rural and Hispanic populations. In addition, the State Library is administrator of the Tischler endowment, a fund which is designated to support collection development for small and needy libraries in the state.

Many libraries seek grants from foundations, corporations, endowments and local businesses.

5.7 - Library Revenues Permitted by Law

Municipal and joint libraries may charge, retain and expend money collected from fines as per N.J.S.A 40:54-17, and photocopy fees as per N.J.S.A 40:54-17.1.

5.8 - Donations, Gifts and Bequests

Many libraries also rely on grants and donations from foundations, local businesses, Friends of the Library groups, and individual residents. Building a tradition of honoring persons with a gift to the library or including a bequest in a will is a form of giving which trustees can foster. Some libraries have worked with lawyers, doctors and funeral directors to assist them in making recommendations about giving to libraries. Many organizations earmark some of their funds for an annual gift to the library or a special gift in support of a particular service or need.

Library boards should, however, have a policy on acceptance of gifts. The policy should address issues such as these: if funds are designated for a special purpose, should the library have the right to refuse the gift if the purpose is unsuitable? Is it best to cumulate cash funds in an endowment and draw upon the income? Can the library board refuse to take a gift, e.g., a statue it doesn't need or a book collection that is not useful? If the purpose is no longer valid, how can the board liberate funds it accepted for a specific purpose? Having policies responding to these questions will avoid misunderstandings about donations with donors.

5.9 - Fundraising

As local government units, there is no law permitting local libraries to perform fundraising activities. For this reason, it is recommended a Friends group be established to raise funding for supplemental expenses, or a Foundation for an endowment or a building program. Trustees and the director are often instrumental in encouraging the founding of these groups, especially when there is a major need for facilities improvements. Once established, these are autonomous groups.

Association libraries as registered non-profits may raise funding. Association library trustees will need to familiarize themselves and remain in compliance with the New Jersey Charitable Registration laws which may be found at <http://www.state.nj.us/lps/ca/charity/charfrm.htm>.

Association library trustees and anyone wishing to establish a Friends of the Library group or foundation will find valuable resources on the webpage of the Center for Non-Profits (<http://www.njnonprofits.org/>). This organization provides excellent general resources as well as information specific to New Jersey.

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Section 6: Strategic Planning

6.1 - Your Role in Planning

Every action taken by the board contributes to the plan of the library – especially when working on the budget, which is one of the most important plans for the next year. Review board, director and staff roles in the planning process in Section 3 of this manual.

But planning for the future is a different kind of activity, an opportunity for trustees to serve the community by looking ahead so that provisions can be made to implement solutions for the longer range needs and expectations.

The New Jersey State Library supports strategic planning as a management tool to determine a library's mission, vision, values, goals and objectives, roles and responsibilities, and to determine benchmarks and timelines that will shape the library's future. All libraries should have an updated strategic plan of three years, initiated by the Board of Trustees. The Strategic Plan charts the library's direction for the future. To provide the best outcome for the provision of effective and efficient library service, it is strongly recommended that the process be guided by someone with experience in facilitating strategic plans for public library service. Resources on the NJSL website include presentations on how to write a strategic plan, required components and sections, information on organizing community focus groups, how to conduct leadership interviews, and discussion guides for different demographics:

http://www.njstatelib.org/services_for_libraries/consulting_services/library_trustees/strategic_planning/

There are several resources that can help you in your planning efforts. Strategic Planning for Results, by Sandra Nelson for the Public Library Association, updates previous planning manuals with a process that involves the community, yet only takes about four months to complete.

Often after planning, you'll be faced with the dilemma of how to reallocate existing resources to meet new service demands. Implementing for Results, also by Sandra Nelson, for the Public Library Association, will help you collect the information you need to make those reallocation decisions.

6.2 - Steps Involved in Planning

Current planning technique suggests that boards assess the library's internal and external circumstances to see what roles the library should fulfill in the community, and then develop a plan that emphasizes one or two of those major roles.

A simplified framework for this kind of planning includes:

- ♦ Strategic vision: the community determines what it wants to become in the future, and sets priorities in cooperation with the library for the library's part in that future.

In this process, the community and the library look at the environment: the community characteristics, changes in the nature of the population, projected growth or non-growth, demands and expectations of the people in the community. The library's internal environment is also important: staff capacity and attitudes, financial resources, the building, the services.

- ◆ Critical issues: the library assesses the changes that must occur in order to obtain the vision.
- ◆ Short and long range goals and objectives: the library sets broad goals for short term and long term periods and develops objectives, which are the steps toward the goals.
- ◆ Resource allocation: the library decides on those goals and objectives to which effort, funds and staff should be allocated. It weeds out the objectives, however desirable, which cannot be achieved or which have secondary importance.

This planning process is pragmatic. Dreaming is encouraged in the preliminary stages but a dream is assigned priority only if the idea has importance when judged against all others. Planning may indicate continuing what you are doing now with improvement. It may not always uncover exciting new ideas. But it will put in perspective what is needed, what is possible and a timetable for progress.

A library board should involve the public in the planning process. You need to hear directly from your customers, ***and from your noncustomers***, what works for them and what doesn't. Planning offers an opportunity for the public and other public officials to share their knowledge of the community and become advocates for the library.

6.3 - Elements of a Plan

Whether the planning process is labeled "strategic" or whether it is developed to suit the individual board and community, it should lead to a plan, a document that assembles materials and lays out what the board intends to do about the future of its library. The plan should be used as a reference for all actions taken by the board to be sure that objectives are given priority and that resources are directed to those objectives.

Consideration should be given to the use of consultants in the planning process. These experienced people can assist the director and the board in planning more efficiently and quickly. They have skills in reducing a plan to a manageable size that can be distributed to interested people. Construction Consultants often are also planning consultants: see the NJSL web page at

http://www.njstatelib.org/services_for_libraries/resources/construction_planning/consultants/

What's In A Plan?

- ◆ List of planning committee members
- ◆ A description of the planning process that includes the planning committee and data analysis, focus groups, and staff interviews
- ◆ A Summary of the Current Status of the Library: look critically at what the library does to identify the most obvious needs and directions. (Don't be afraid to brag about a good library. Planning is not criticism; it's the vision that you want to create for the future).
- ◆ An Assessment of Community Needs: a library should respond first to the needs of its community. It is basic to planning to know what those needs are. Statistics needed may

include: population trends; community characteristics as to age, sex, education, income, and occupations. Other information may include requests from focus groups and surveys of library users, community leaders, nonusers, and special and diverse populations.

- ◆ A timeline for achieving the goals in the plan, along with assigned tasks to appropriate staff or consultants, along with a plan for evaluating your progress.

Looking to the future requires anticipating some of the needs. Read the literature on life style changes, seek information on trends in libraries, the emphasis on lifelong learning, and identify special problems in your community. (e.g., Literacy; Unemployment/underemployment; Aging, etc).

- ◆ Library Mission Statement: Why does the library exist? What is its purpose? What are the needs it is committed to meet? Make this statement upbeat but realistic. Tell what you intend to do.
- ◆ Goals and Objectives: Goals are the general statements about the library's directions and aspirations. Select goals, which can be achieved in a reasonable length of time – or those that serve as interim steps in the long-range plan.
- ◆ Objectives are the "how" of moving toward goals. They should be relatively short-range, practical and accompanied by evaluation of progress. They set the framework for the activities, which the library is undertaking.
- ◆ Rationale for Each Goal: Why do you wish to move toward a new building or toward a new program? Justify your selection of a particular goal. It's possible the plan will substitute some program in place of existing services. Justify the shifts.
- ◆ Anticipated Costs: You can estimate the costs for planned programs. Include the cost of personnel and other operations. The community should be prepared to make an investment.
- ◆ Provisions for Review of the Plan: Every plan should be in constant use as a check on current decisions and expenditures. Evaluation should be built in. ALWAYS use a plan as a check against the budget.
- ◆ Mission Statement that reflects the Community's needs: Develop a statement you can use again and again about the library as a focal point in the community, make sure you continue to address community needs.

Planning holds the potential for your library and for your community service. Without planning, decisions may be good, but they will be better when framed in a plan for developing better library service.

6.4 - Your Role in Promoting a Plan

Sometimes library boards forget to market the plan into which they have put such thought and effort. Even when the board has involved the public in the planning, it needs to seal the effort by promotion of the product.

Those who participated in the planning in any way should receive, at least, a warm thank-you and a summary of the results.

Those people in the community who will be part of the plan's implementation (schools, the municipality, the zoning and planning officials, media, other libraries in the community or major

organizations, for example) should receive copies with a cover document indicating their roles.

Be sure to contact the media and help them understand and publicize your plan. For example, the press may be willing to feature interesting phases of the plan with a series of articles.

Board members are ideal speakers to go before service groups to present an overview of the plan and its potential for benefiting the community.

The community will respond more positively to a library's plans when it sees a project or a need as part of a planned sequence to improve services.

Section 7: Capital Planning

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Section 7: Capital Planning

7.1 - The Board's Role in Capital Planning

Boards that successfully complete building projects must have a carefully developed plan. Preparation for building projects is long-term and ongoing, and must reflect the needs and outcomes established by the strategic plan. There are relatively small projects the board will want to plan for as well as large projects. Remember to have a plan in place in case someone presents the board with major funding.

Many boards establish a Building Committee for ongoing capital needs, and committees as needed for a large capital project. A new building might need a separate committee for each phase of the project such as public relations, needs assessment or site selection. The library director is customarily expected to coordinate the planning, make recommendations, and work with the consultant and architect. It is customary for the director to be the board's representative during construction, and to keep the board's building committee fully informed.

Some libraries organize an advisory committee if a new building or addition is needed.

7.2 – Legal Requirements

Municipal and Joint Boards

Trustees may reserve funding for capital expense using funds from the annual mandatory library appropriation (one-third mill), if the following conditions are met (N.J.A.C. 15:21-12.5(c)).

1. All conditions of N.J.S.A. 40:54-1 et seq. (law governing municipal and joint libraries) and N.J.A.C. 15:21-2 (regulation governing minimum standards for Per Capita State Aid) are met;
2. There are sufficient funds remaining for the maintenance of the library for the balance of the year in which the funds are saved or the cost occurs; and
3. The library board of trustees has a written plan of at least three years that reflects that the long-term capital expense will contribute to the provision of efficient and effective library services, and that the plan will be made available to the State Librarian upon request.

Regardless of the size of the project, all plans must show that the capital expense will contribute to the provision of efficient and effective library service. The board must have a resolution to set aside capital funds and the resolution should reference the projects anticipated.

Municipal, Joint and County Boards

All purchasing through the board of trustees or library commission must be in accordance with New Jersey purchasing requirements whether or not the money was gifted or received from local government.

Always remember that the building, with very rare exceptions, belongs to the municipality or the county. A structural change may require the permission of the majority of elected officials. To maintain good relations, all elected officials should be kept informed regarding what the board is

saving capital funds for and why.

Following is list of the laws that you will want your attorney to review. A very brief description is given to provide an indication of what the law covers, but review of the statutes mentioned with an attorney is necessary to understand all of the conditions required.

N.J.S.A. 40:54-16 permits the municipality to purchase lands, erect building, and make an additional appropriation to the trustees to expend on equipment, furnishing and decorating the library.

N.J.S.A. 40:54-21 permits the municipality to accept gifts for the purpose of building a library with certain limitations.

N.J.S.A. 40:54-22 requires the funds accepted pursuant to N.J.S.A. 40:54-21 to be expended by and under the direction of the board of trustees.

N.J.S.A. 40:54-23 permits the municipality to appropriate funding to purchase a site under certain conditions.

N.J.S.A. 40:54-24 permits the trustees to purchase the site, and establishes that the municipality will hold title of the real estate but the use and control remains under the trustees.

N.J.S.A. 40:54-25 permits the trustees to request that the municipality provide additional funding to supplement the funding the trustees “have on hand” in addition to the amount needed for the maintenance of the library. If approved, the trustees may expend the funding accordingly with the concurrence of the municipality. The municipality will hold title of the real estate but the use and control remains under the trustees.

N.J.S.A. 40:54-26 permits the municipality to issue bonds for the acquisition of lands, the acquisition and erection and improvement of buildings and appliances for library purposes and the equipment and furnishing of library buildings.

N.J.S.A. 40:54-27 requires that the municipality raise by taxation sufficient funds to pay the interest and principal on the bonds.

N.J.S.A.40:54-28 discusses the process for condemnation of property.

N.J.S.A. 40:54-29.18 through 21 may be reviewed for information on this subject regarding joint libraries.

N.J.S.A. 40:33-13.2a and b may be reviewed for information on this subject regarding county libraries.

7.3 –Types of Capital Plans

Capital plans are of two types and vary in scope accordingly. Relatively small projects that are not part of a major renovation of an extensive portion of the library or new construction require a plan that at a minimum lists the items, the estimated cost and an anticipated timeline for completion. Items qualifying as capital includes furnishings and equipment (including computer hardware and software); the replacement of roofs and heating, ventilation and air conditioning systems; and minor renovations of library buildings such as installing an elevator.

Large projects such as new buildings, additions or a major renovation of an extensive portion of the library require a detailed capital plan as discussed in the remainder of this chapter.

7.4 – Planning a Major Capital Project

The director and board should first assess whether or not a reallocation of space would suffice rather than proceeding with a major construction project. As any need for additional space should be based on predicted community growth, anticipated added services and public demand, the board at this point may want to hire a building consultant. Working with the library director and staff, building consultants develop a plan that includes background research, supporting documentation and an analysis of space needs and contingencies. To meet the need for advice from the viewpoint of an operating library, a number of librarians with building experiences have become building consultants, specializing in working with the individual library on its space needs based on the individual service pattern. For guidelines regarding square footage, see N.J.A.C. 15:21-5.4.

Following are examples of the research that is needed for a successful program.

- ◆ Why are residents using the library, and what programs and services would attract more residents?
- ◆ What current and future needs will affect space, size, location, facilities and design?
- ◆ What new and/or expanded services will be offered to generate the need for a building?
- ◆ Can current building(s) be made to work through better use of space?
- ◆ What are the space requirements for various services – public, administrative, support?
- ◆ Is the present building on the right site or is it time to reconsider location?

After the plan is developed, it is submitted to the board for approval. If approved, the plan becomes the basis for the building program.

7.5 – Hiring the Architect

The New Jersey area has a number of architects experienced in the design of libraries. The State Library maintains a list of architects, on the construction Webpage, who have worked on libraries throughout the state. Of course, you may decide on an architect who has not designed a library but to whom you can explain what you want and need. A good way to decide which architects to interview is to visit new libraries in the area and look at new buildings which you find attractive as well as functional.

The architect will design a floor plan around the functions and space requirements identified in the building plan, and will provide the board with cost estimates. These documents also serve as the basis for building support.

7.6 – Support for the Project

An understanding of the community – both current users and nonusers- and of facts and trends is basic to the success of any building program. It ensures that the building project will meet the needs of the community and will help to gain community support for the project. The board should build its support base with the people and groups necessary to a successful program. Seeking advice and support from political units, community leaders, library users and nonusers and opinion leaders in the community is an important step, which should be built into

the timetable. It is always best to build a base of support rather than to move too rapidly.

7.7 - Funding Library Construction/Renovation

In New Jersey, there are a number of ways to raise funds for library buildings.

Municipal and County Taxation

Municipalities and counties may raise by taxation the funding required to build, expand and furnish library buildings.

Trustees Use of One-third Mill

Trustees may reserve funding for capital expense using funds from the annual mandatory library appropriation (one-third mill), if certain conditions are met (N.J.A.C. 15:21-12.5(c)).

Gifts and Bequests

Library boards may accept gifts and bequests for library purposes, including for or toward a building. A large bequest might cover the major costs of a building; smaller gifts can be accumulated or used for purposes related to the building. In encouraging gifts and bequests, libraries are wise to request that these not be specifically earmarked unless the donor is, indeed, presenting an entire building. Conditions attached to very large gifts may be worked out with the assistance of a lawyer.

Public Campaign for Funds

Once the board has carefully created interest in having a new building or added facilities, it can then turn to the community for money, either in full or supplementary. It is highly recommended that the board encourage the establishment of a Foundation for this purpose.

A campaign for funds requires early and detailed organization. It needs to be realistic about contributions, as well as who will and can give. It should find ways to let everyone give and ways to recognize contributions. It should be straightforward with the public about the total cost of the project.

A long range building plan should include time for fund raising. A campaign should occur before building commences so that necessary funding is known from the beginning. People may be uncomfortable about being asked to make up a shortage.

7.8 - Implementation

Now that the board's planning is complete, the money necessary is available and the architect is in the final stages of planning, it is highly recommended that the board rely on a Qualified Purchasing Agent for assistance with the rest of this very complicated process. The sequence following outlines the remaining steps.

- ◆ Review every detail of the building plan. Decide what features can be optional so that separate bids can be taken on these items. Review estimated costs so that the construction bids are not a surprise.

- ◆ Follow all local ordinances. Zoning and building codes should be checked as plans are made. Enlist the help of appropriate officials in the plan review to ensure that it meets required standards.
- ◆ Follow the state public contracts law and regulations in the bidding process. Allow adequate time for bidders to accurately estimate your project. Invite enough bidders so that there is a range.
- ◆ Analyze the bids thoroughly. Be sure you are getting what was specified with no unsuitable substitutes. Accept the bid that most closely meets specifications as well as offering good value.
- ◆ Are all bids too costly? You can call for new bids to an amended set of specifications. You can also rule out the optional features that did prove too costly.
- ◆ Create a team consisting of the board, the director, the architect and the contractor to monitor progress and to make regular reports to the board and the local governing body. If you have the financial resources, consider hiring a Clerk of the Works to supervise the project.
- ◆ Expect some change orders to your contract. Discoveries will be made about unexpected problems or opportunities. The contractor may suggest, for example, that a new tile may be less expensive and serve just as well as that specified. If so, that's a credit you can apply to something that will cost more (e.g., discovering poor soil on the site).
- ◆ Expect performance. This building is going to be a focal point in the community for a long time and should be properly and expertly built. Some boards find that the contractor has taken the job as a fill-in. Don't accept excuses!
- ◆ Track the expenditure of funds in a professional manner. Payments should be made promptly on proper evidence. If you need financial advice, seek it from the finance officer or business administrator of the local governing unit.
- ◆ Meet frequently during the building process. Meetings keep you in touch with progress, permit decisions on suggested changes and provide the material for ongoing public relations in the community.
- ◆ Plan for orderly occupation of the building, when it's ready, with festivities and community involvement. Allow plenty of time for moving in, completing the landscaping and other amenities. Then show off the newest and best community asset. Have a dedication ceremony. Invite all elected officials, the community, and all parties responsible for the success of the building project. Do acknowledge all contributors. You can never thank those responsible too many times. Give them the opportunity to participate in the celebration through remarks and photo opportunities. Make the dedication a positive public relations event for the library.

Keep in the back of your mind how long it took to achieve this objective. Keep "need for expansion" in your planning process so that the next building will arrive when it is needed. There is nothing more satisfying than a new facility that enlarges the ability of the board to bring exciting service to an appreciative community.

Additional resources may be found in Section 11: Resources.

Section 8: Marketing and Public Relations

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Section 8: Marketing and Public Relations

8.1 – Marketing Defined

Marketing is an ongoing communications exchange with customers in a way that educates, informs and builds a relationship over time. The over-time part is important because only over time can trust be created. With trust, a community builds organically around products and services and those customers become as excited about the products as you are — they become advocates, loyal evangelists, repeat customers and often, friends.

Marketing requires your library's awareness of its customers and their needs, with an eye to responding to those needs. Board members need to be aware that marketing is the natural prelude to any public relations effort. Marketing is also the basis of customer service; it allows staff to measure, and thus close, the gap between what the library offers and what the customers want. Thus, marketing needs to be a continuous process.

The cornerstone of library marketing is telling your library's "story." Putting your key messages and news in the context of a story helps people pay attention, understand, and REMEMBER it. Think beyond simply posting updates and promoting events. The key to marketing is reinforcing your brand. Once you've developed your library's bigger story, it's important to identify and fully utilize your marketing vehicles. These may include: your library's website, advertising via print and online media, social media, blogging, email and direct mail campaigns, events, and traditional print materials such as brochures, flyers, posters, etc.

Marketing can be done by the library staff. It is not necessary to hire a firm and spend a lot of money; it can be kept quite simple. Staff can talk to people in the stacks, do a quick survey on barriers to using certain collections, or do a simple random telephone survey. One example of basic marketing: a librarian went to a meeting at the senior center next door and said, "I'm from the library. We see people from your center in the library all the time. What can the library do for them?" The senior center director gave that small library money to support the information needs of the seniors.

Before your library embarks on an intensive public relations/advertising campaign, make sure the staff has "done its homework" so that the campaign can be directed effectively.

For more information on marketing the library, go to http://www.njstatelib.org/services_for_libraries/consulting_services/library_trustees/advocacy_and_outreach/. Also, you can contact Tiffany McClary, the State Library's Director of Communications, Marketing & Outreach at tmccclary@njstatelib.org or by telephone at 609-278-2640 x122.

8.2 - Responsibilities for Public Relations

Public Relations is the profession or practice of creating and maintaining goodwill of an organization's various publics (customers, employees, investors, suppliers, etc.), usually through publicity and other nonpaid forms of communication. These efforts may also include support of arts, charitable causes, education, sporting events, and other civic engagements.

Public relations can help your library:

- Increase public awareness about your programs and offerings, and attract and increase involvement and engagement.
- Create, change, build, or enhance your public image and public perceptions.
- Win or build support.
- Reach new or never before approached audiences.
- Clarify misunderstandings and misinformation.
- Communicate its value.

Representing the library to the public is a responsibility of the library trustee. The board, in conjunction with the staff, needs to develop a marketing & public relations plan, which will publicize the library's programs and services.

Larger libraries are likely to have staff members who have a public relations assignment: news releases, newsletters, off-site displays and exhibits, special events, speaking engagements, radio and TV appearances. The staff member in this job will provide the community with information that will add to the public's awareness of the library.

Smaller libraries with limited funds may not have a staff person assigned exclusively to public relations. They may rely on the trustees, the Friends of the Library or volunteers to carry on an information program.

Board members contribute at a different level. They have standing in the community, move about in many organizations, and have a wide field of acquaintances and opportunities to speak for the library. Being alert to those opportunities is a trustee's job. Public relations activities will involve the trustees in speaking dates, radio and TV appearances, program presentations and special assignments to call on people who can be helpful to the library.

8.3 - Finding Opportunities to Promote the Library

Marketing is a tool that expands people's ideas of what is possible or what is an easy solution for their needs. The outreach part of the equation is where marketing gets its legs—it is the actual deliverable and is the heart of real library service. Once you partner with someone outside of your organization, you begin to care about something outside of your library's walls, and you become a part of the greater community.

Your library cannot remain relevant if it solely focuses on being a repository for books and resources. So much of what libraries do now has to do with programming for the public,

anticipation of and provision for community needs, and involvement in the life of the community.

Trustees who follow their local newspapers and social media outlets will find opportunities in many venues.

- ◆ Service clubs are always looking for speakers or programs from local organizations.
- ◆ Communities hold parades and festivals.
- ◆ New companies moving into the area.
- ◆ People are appointed or elected to offices. (They should be made aware of what the library offers).
- ◆ Service organizations, including but not limited to, Rotary, Chamber of Commerce, literacy volunteers, State Departments of Labor, Education and Archives, Community Colleges, Humanities and Arts Councils, and Historical Societies. (All of these can help you expand your library's reach and maximize your impact).

Trustees can personalize the library to the community and township officials by sharing information about the role of the library in their family's personal and professional lives. This kind of testimonial leverages the trustee's reputation and standing in the community and helps to promote the library. Library users should be invited to meetings where board members can share success stories, learn more about user expectations, and discuss advocacy efforts.

Consider that...

- The public library is uniquely positioned to foster collaborative efforts and create alliances that transform the community.
- The library belongs to the community and the more the public feels that sense of ownership, the more they will want to know about library programming and services.
- Building community partnerships is not a new concept for libraries, which have long been active community hubs reaching out to all sectors in their service areas. However, in this age of library transformation, it is time to escalate the scale of community engagement. On one level, it is survival; it is also the natural progression of a trusted, local institution of long standing.
- Establishing relationships with the decision makers, thought leaders, politicians, "movers & shakers" etc. of your communities will maximize your reach throughout the community.
- And remember that outreach should happen all year long, not just when it is "budget season."

8.4 - Marketing Resources for Libraries

[New Jersey State Library Direct](http://njsldirect.org/) (<http://njsldirect.org/>) is a marketing resource for libraries. It offers a variety of resources including articles, webinars, videos, and tutorials along with a weekly newsletter of NJ library community news.

8.5 - Working with Elected Officials

Library trustees in New Jersey have a great deal of autonomy and authority in managing their libraries. N.J.S.A. 40:54-1 et seq. vests library boards with many powers. Other statutes govern the library's financial affairs.

Trustees must maintain good relations with local government officials if libraries are to receive adequate funds at budget time.

Mayors or executive officials and superintendents of schools or others in the school structure are ex officio members of library boards in New Jersey. Their attendance, participation and advice are an asset and should be cultivated. Their influence is an excellent base when trustees are called upon to request the funds that libraries need.

Library trustees need to map out a plan to keep in touch with members of the governing body, sharing information, preparing them to make decisions important to the library and the community it serves. The objective is to have them share a vision of the library that sets up goals and finds ways to implement them.

Honesty is important in relating to government officials. Information shared should be fully explained and related to the goals the community has for its library.

Trustees need to advocate for appropriate levels and the legally required amount of funding for the library. This includes working with the library director to justify the library's budget requests. It also includes working with officials to assure increased, rather than decreased funding for the library. Those who establish the appropriation for the public library must understand why the library needs money and what it can do with adequate funds. They also need to understand what the ramifications of underfunding might be.

This is advocacy in the finest sense – that of providing information – when library trustees make the case for the library in planned ways. This includes giving timely updates, attending meetings of funding bodies, understanding and being able to explain the budget, and never wavering in support of the library's plans.

Boards will find many ways to relate to members of other boards (for example, recreation boards, school boards, YM/YWCAs, etc). Invitations to library events, regular newsletters or updates, personal calls on members, involvement of other boards in planning sessions, and casual meetings between individuals, all offer opportunities to increase awareness of the importance of the library in the community.

8.6 – The Kind of Advocacy Trustees Should Do

Library trustees can be effective spokespersons for public libraries with the state legislature and other official bodies. Trustees can coordinate efforts with other advocates by contacting the Public Policy Committee of the New Jersey Library Association (www.njla.org). The Committee will help you by discussing proposed legislation and coordinating lobbying efforts at the correct time and place with the people who can help – from elected officials to staff members of representative committees.

The New Jersey Library Trustee Association also coordinates advocacy efforts. NJLTA provides a newsletter, a website, and a listserv that give updates on advocacy efforts. NJLTA is assisting local libraries to develop local advocacy plans and campaigns to strengthen NJ libraries. For more information on NJLTA, visit www.njlibrarytrustees.org

The American Library Association has a Washington office which tracks legislation affecting libraries and librarians and alerts its members when to contact politicians regarding proposed legislation. Coordinated efforts are best; legislation and appropriations should address the situation in general, rather than favor an individual library.

Trustees should have access to publications from the New Jersey Library Association and to continued advice from the director.

8.7 - United for Libraries

United for Libraries is another resource with excellent advocacy kits and resources. Visit <http://www.ala.org/united/> for materials on developing local advocacy campaigns.

Trustees can be effective advocates because they:

- ◆ Are knowledgeable representatives about the library and the community
- ◆ Have credibility because they voluntarily provide service to the library and community
- ◆ See the library from a citizen's or community member's viewpoint
- ◆ Have a perspective on a range of public services
- ◆ Represent a broad base of the community
- ◆ Vote.

For more information, contact: United
for Libraries

50 East Huron Street
Chicago, Illinois 60611
(800) 545-2433, ex. 2161.
<http://www.ala.org/united/>

Section 9: Institutions Supporting Public Libraries

INSTITUTIONS SUPPORTING PUBLIC LIBRARIES

While each type of library has a defined service area, regional and statewide entities and networks exist to ensure equitable and efficient service throughout the state.

New Jersey State Library

The State Library has been providing service to the executive, legislative and judicial branches of state government for more than 200 years. The State Library's mission has expanded since its establishment in 1796 to lead in the provision, promotion and support of high quality library and information services to all the people of New Jersey. Established and maintained according to N.J.S.A.18A:73-26 et seq., the New Jersey State Library provides services to the state's residents and libraries in 5 primary areas, the State Library Information Center, the Talking Book and Braille Center, Library Support Services, Lifelong Learning, and Innovation and Outreach. The New Jersey State Library is an affiliate of Thomas Edison State College

The State Library Information Center provides collections and reference assistance primarily to the state government, but also to other libraries, Thomas Edison State College staff and students. The library is open to the public. *The Talking Book and Braille Center provides services for any state residents with print disabilities, including people who are blind or visually impaired, or who have a physical impairment that makes it difficult to hold a book or turn pages, or who have a learning disability with a physical basis. The library is open to the public.*

Library Support Services provides technical, advisory and oversight services to support New Jersey's libraries and the New Jersey Library Network. Lifelong Learning provides consultant services and technical assistance to create, improve and strengthen library information and literacy services. Innovation and Outreach focuses on what is happening on the horizon both inside and outside the world of New Jersey's libraries.

LibraryLinkNJ

The primary function of New Jersey's library cooperative is to enhance library services to New Jersey residents by promoting cooperative sharing of resources, information, and expertise among its member libraries. The cooperative accomplishes this by operating a statewide delivery service structure, engaging in group negotiation of resources, facilitating communication among member libraries, providing professional development for library staff, and promoting best practices across the membership.

The cooperative operates as a nonprofit organization serving public, school, academic, special, and institutional libraries, pursuant to N.J.A.C. 15:22-1.4 to 22-1.6. Services are funded from state tax dollars appropriated for the New Jersey Library Network and administered by the State Library.

New Jersey Library Association

NJLA advocates for the advancement of library services for New Jersey residents, provides continuing education and networking opportunities for librarians, and supports the principles of intellectual freedom and democratic access to library services and materials. Established in 1890, it is the oldest library organization in the state.

Section 10: Trustee Continuing Education

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Section 10: Trustee Continuing Education

10.1 – Trustee Continuing Education Requirement

As noted in the Per Capita State Aid section of this manual, in order to earn future State Aid, library boards will have to attend mandatory training at seven (7) hours per year per library board.

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.

10.2 – Continuing Education Opportunities

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 in their roles and responsibilities, library law, and other important trustee activities.

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 offers 100 site licenses that provide Trustees with one year of FREE access (July 1 to June 30) to the Trustee Academy.

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. (Note: that the Trustee Institute and Trustee Academy are offered biennially.)

10.3 - Resources Available in New Jersey

The New Jersey Library Trustee Association (<http://www.njlibrarytrustees.org/>) publishes a newsletter, conducts workshops and sponsors meetings in areas of library service. Boards should budget for staff and institutional memberships in NJLTA to support the professional organization that supports NJ librarians and libraries. This is your membership organization and

you and your entire board should support it. Membership dues are very reasonable but the information you receive is invaluable.

10.4 - Resources Available Nationally

The American Library Association holds an annual conference at which there is programming for trustees planned by United for Libraries. United for Libraries publishes materials for trustees and can be contacted for program and speaker suggestions.

United for Libraries
50 East Huron Street
Chicago, Illinois 60611
(800) 545-2433, ex. 2161.
<http://www.ala.org/united/>

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. Trustees can also gain much from active participation NJLA, NJLTA, and ALA's United for Libraries at the national level. Consider working on a committee or on the executive board for a real education that also benefits the library community at large.

Section 11: Resources

1/3 Mil Law

http://lss.njstatelib.org/lss_files/MAINTENANCE%20OF%20FREE%20PUBLIC%20LIBRARY%20_MUNICIPAL%20AND%20JOINT-%20NJAC%2015_21-12.pdf

Advocacy

New Jersey Library Association <http://njla.org/>

New Jersey Library Trustee Association <http://www.njlibrarytrustees.org/>

Center for Non-Profits umbrella organization for New Jersey 501(c)(3)s (association libraries, friends groups and foundations) <http://www.njnonprofits.org/>

Construction Planning

Whole Building Design Guide: Public Library http://www.wbdg.org/design/public_library.php

NJSL http://www.njstatelib.org/services_for_libraries/resources/construction_planning/

Funding Information Center

http://www.njstatelib.org/research_library/collections/funding_information_center/

Intellectual Freedom

<http://njla.org/content/intellectual-freedom-subcommittee;> <http://www.ala.org/advocacy/intfreedom>

Law

http://www.njstatelib.org/services_for_libraries/resources/library_law/

Library Support Services, NJSL

Michele Stricker, mstricker@njstatelib.org

Bob Keith, rkeith@njstatelib.org

New Jersey Library Association <http://njla.org/>

Patricia Tumulty, ptumulty@njla.org

New Jersey Library Trustee Association <http://www.njlibrarytrustees.org/>

Open Public Meetings Act “Sunshine Law”

<http://hpcpsdi.rutgers.edu/NJHPg/downloads/sunshine%20Laws.pdf>

Open Public Records Act

[http://www.nj.gov/grc/public/docs/Citizen's%20Guide%20to%20OPRA%20\(July%202011\).pdf](http://www.nj.gov/grc/public/docs/Citizen's%20Guide%20to%20OPRA%20(July%202011).pdf)

Purchasing and Disposal of Library Property

General information may be found at http://lss.njstatelib.org/library_law Part 6: Purchasing. For more detailed information, contact: Gordon Ball, Procurement Specialist, Department of Community Affairs, Division of Local Government Services; Gordon.Ball@dca.state.nj.us

Trustees

http://www.njstatelib.org/services_for_libraries/consulting_services/library_trustees/

<http://www.njlibrarytrustees.org/>

<http://www.ala.org/united/trustees>

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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

ARTICLE 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.