Westchester Library System Trustee Institute

Trustees and Directors; Roles and Responsibilities

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Jerry Nichols, Director of Palmer Institute for Public Library Organization & Management Long Island University
Topics

- Legal Responsibilities of Library Trustees;
- Rules for Effective Board Meetings;
- The Role of the Library Director;
- Review of basic Library Policies
Duties and Responsibilities of Public Library Trustees

► The Duty of Care: “to act in good faith”

► The Duty of Loyalty: “allegiance to the institution”

► The Duty of Obedience: “fulfill the mission”; comply with law

http://www.regents.nysed.gov/statement.html
Trustee Basics

Responsibilities:

► Meet Library standards;
► Conduct business publicly;
► Oversee Finances;
► Conform to applicable laws, regulations and decisions;
► Appoint Personnel;
► Establish Policies.
“The most important task of an organization’s leader is to anticipate crisis. Perhaps not to avert it, but to anticipate it.

To wait until the crisis hits is already abdication. One has to make the organization capable of anticipating the storm, weathering it, and in fact, being ahead of it.

It’s called innovation, constant renewal.”

- Peter Drucker
Trustee Orientation: the Foundation of Success

Your job as an effective Trustee begins with a thorough understanding of the Library. The best way to learn about your organization is by a formal orientation with the Library Director. This orientation should include a discussion of the Library’s philosophy and goals, its role in the community and a review of critical issues facing the organization.
Critical Documents

- By-Laws of the Board of Trustees
- Board Membership & Contact Information
- Board Committee Memberships
- Schedule of Board Meeting Dates
- Minutes of Recent Board Meetings
- Information on Open Meetings Law
- New York State Trustee Handbook
- Library Policies
- Long Range or Strategic Plans
- Union Contract (if applicable)
- Staff Handbook
- Staff List & Organization Chart
- Previous Audit
- Current Operating Budget
- Recent Monthly Financial Reports
- Library Newsletters & Brochures
Board Organization

- Elections and appointments
- By-Laws
- Committee Structure
- Absenteeism
- Collective Authority
- Consistency
Effective Board Meetings

► Conduct of Meetings
► Agenda - Essential Components
► Board President’s Role
► Director’s Role
► Secretary/Minutes
► Parliamentary Procedures
► Dealing with the Public
SAMPLE AGENDA

I. CALL TO ORDER
II. PLEDGE OF ALLEGIANCE
III. ADOPTION OF AGENDA
* IV. APPROVAL OF MINUTES OF MEETING HELD – March 5, 2003
V. PERIOD FOR PUBLIC EXPRESSION
VI. CORRESPONDENCE
* VII. PERSONNEL REPORT
* VIII. TREASURER’S REPORT
   A. Report of receipts and disbursements
   B. Warrants
   C. Presentation of projected cash flow
IX. ADMINISTRATORS’ REPORTS
X. COMMITTEE REPORTS
XI. OLD BUSINESS
XII. NEW BUSINESS
XIII. PERIOD FOR PUBLIC EXPRESSION
XIV. DATES OF FUTURE BOARD MEETINGS
   Wednesday, Dec 6, 2006
   Wednesday, January 3, 2007
   Wednesday, February 7, 2007
XV. OTHER
   Executive Session: Director’s Annual Performance Evaluation
   * action required
Effective Board Meetings

► Conduct of Meetings
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Legal

► Open Meetings Law
► Freedom of Information
► Meeting Notices
► Rights of Public at Meetings
► Quorum/Voting
► Rights/Liabilities of Individual Trustees
► Content of Minutes
► Executive Sessions
Financial

- Responsibility of Treasurer
  (as appointed by Board)
- Responsibility of Finance Officer
  (Board member)
- Content of Financial Reports
- Approval of Reports
- Vouchers/Warrants/Pre-pays
- Appropriate Use of Reserve Funds
- What Needs Approval, What Doesn’t
- Compliance with State Investment Policy
Personnel

► Standard Practices & Procedures
► Responsibilities for Selection
  ► “Appoint” vs. “Select”
► “After the Fact” approval by Trustees
► Compliance with Civil Service Regulations
► Liability of Trustees for Non-compliance
► Termination
An Effective Board understands Responsibility vs. Delegation

- The Director as CEO;
- The need for Fiscal Oversight;
- The authority to appoint (not select) staff;
- Their policy making role;
- Their accountability to the community;
- Their ultimate responsibility for adequate resources;
- Their responsibility for the future.
An Effective Board has a Positive Corporate Culture

► Respects the institution, staff and public;
► Looks to the future, not the past;
► Looks to improve rather than blame;
► Has a Code of Ethics;
► Seeks professional guidance but makes its own decisions;
► Listens to the public but maintains authority;
► Seeks to maintain a diverse Board.
The Effective Director

- Is trusted and supported by the Board;
- Is the CEO and manages the Library day to day;
- Is educated in, and understands, library issues…and management!
- Selects and supervises all personnel;
- Oversees the preparation of financial reports;
- Deals with all outside vendors;
- Keeps the Board informed;
- Is involved in the community;
- Is spokesperson for the Library on most matters.
Board/Director Relationships

- The selection process; getting what you pay for...
- Accountability
- Collective Authority of the Board
- Employment Agreements and Contracts
- Evaluation Process
- Managing Conflict
- Leadership Changes
Case Study - Board Responsibilities

“We recently had a trustee openly criticize a board decision to move forward with a building referendum in the local paper, he went as far as to actively urge voters against the proposition.”
Library Policies

- Policies are the rules of the Library.
- Policies should be developed thoughtfully and revised regularly.
- Policies provide you and the library with legal protection.
- Policies are useless unless you and your patrons know them.
Essential Policies

► Board Policies
- Meeting protocols
- Ethics and conflicts of interest

► Operational Policies
- Library hours and days open
- Lending rules, Internet access, etc.
- Patron behavior
Essential Policies, continued

► Collection Management
  ▪ Selection
  ▪ Intellectual Freedom
  ▪ Challenges to library materials

► Facilities and Emergencies
  ▪ Crisis management
  ▪ Inclement weather
Essential Policies, continued

► Personnel Policies
  - Staff Manuals
  - Union Contracts
  - Employee acknowledgement

► The Library as a “Limited” or “Designated” Public Forum

► Sample Policies
  - http://winslo.state.oh.us/publib/policies.html
Trustee Ethics

► Conflicts of Interest

▪ General Municipal Law; Sec. 800

► “no officer or employee shall have an interest in any contract with the municipality of which he is an officer or employee...”

► Inclusion of family members

► “Free” services prohibited

▪ Application to Association Libraries

http://www.ala.org/ala/alta/links/ethicsstatement.pdf
Trustee Information Resources

- Comptroller’s Opinions [www.osc.state.ny.us/legal/index.htm](http://www.osc.state.ny.us/legal/index.htm)
- NYS Attorney General’s Opinions [www.oag.state.ny.us/lawyers/opinions/opinion.html](http://www.oag.state.ny.us/lawyers/opinions/opinion.html)
- [http://www.westchesterlibraries.org/node/39](http://www.westchesterlibraries.org/node/39)