

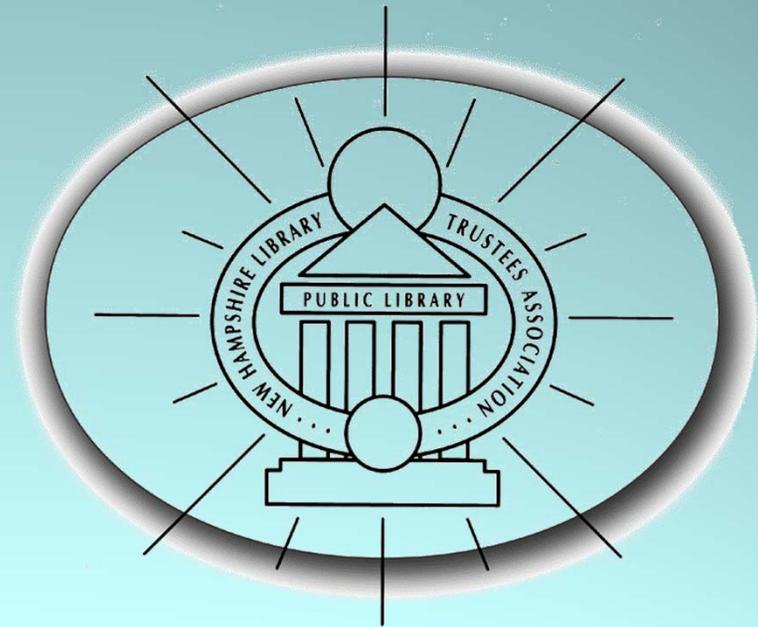
# NHLTA

2016

## Library Trustee Orientation

*Presented by*

NH Library  
Trustees  
Association



# Workshop Presenters

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# What Is a Library Today?

A resource for:

- Lifelong Education
- Information
- Research
- Group and Community Gatherings
- Free Services for All Ages

# Getting Started on the Right Foot

- Familiarize yourself with the essential responsibilities of a trustee
- Sharpen the skills that will enable you to successfully carry out those responsibilities
- Utilize the resources that will answer many of your questions

# NH Laws Relating to Public Libraries

- RSA = NH Revised Statutes Annotated
- RSA 202-A = Public Libraries
- RSA 201-D:11 = Library User Confidentiality
- RSA 91-A = Right to Know Law governing public meetings
- RSA 32 = Municipal Budget Law
- Case Law (Taylor decision: Library staff are not town employees)
- The local library's bylaws and policies

# The Public Library is for **EVERYBODY**

## RSA 202-A:4. Maintenance.

Any city or town having a public library shall annually raise and appropriate a sum of money sufficient to provide and maintain adequate public library service therein or to supplement funds otherwise provided.

## RSA 202-A:5. Status.

Every public library shall remain forever free to the use of every resident of the town wherein it is located.

# The Public Library is for **EVERYBODY** (Cont)

## **RSA 202-A:6. Library Trustees; Election; Alternates.**

The library trustees shall have the entire custody and management of the public library and of all the property of the town relating thereto, including appropriations held pursuant to RSA 202-A:11, III, but excepting trust funds held by the town. Any town having a public library shall, at a duly warned town meeting, elect a board of library trustees consisting of any odd number of persons which the town may decide to elect.

Such trustees shall serve staggered 3-year terms or until their successors are elected and qualified. There may be no more than 3 alternates as provided in RSA 202-A:10.

# Confidentiality – RSA 201-D:11

I. Library records which contain the names or other personal identifying information regarding the users of public or other than public libraries shall be confidential and shall not be disclosed except as provided in paragraph II. Such records include, but are not limited to, library, information system, and archival records related to the circulation and use of library materials or services, including records of materials that have been viewed or stored in electronic form.

# Confidentiality – RSA 201-D:11

(continued)

II. Records described in paragraph I may be disclosed to the extent necessary for the proper operation of such libraries and shall be disclosed upon request by or consent of the user or pursuant to subpoena, court order, or where otherwise required by statute.

# **Library Trustees – a Job Description**

# Power But Not Pay

202-A:14 Compensation of Trustees. – No trustee of any public library shall receive any compensation for any services rendered as such trustee, unless compensation is stipulated in the terms of the bequest or gift establishing the library. Trustees may be reimbursed, however, for necessary travel expenses to attend professional meetings.

# Library Trustees in NH are Powerful Elected Officials



- RSA 202-A:6
- “*The library trustees* shall have the entire custody and management of the public library and of all the property of the town relating thereto ...”

# What Are the Responsibilities of a Trustee?

- Trustee Responsibilities are defined by laws of N.H. known as R.S.A.'s (Revised Statutes Annotated)
- RSA 202-A is the one that addresses libraries
- Essentially, Trustees have three principal responsibilities
  - To write the policies that govern the library
  - To ensure that the library is sufficiently funded
  - To appoint/hire and oversee a library director

**Trustees Establish  
Policy  
for the Library**

# Trustees Establish Policies

- Policies are required by law.
- Policies provide guidance to board, staff, and patrons.
- Policies assure consistency, comfort and trust.

To learn more about establishing policies, take NHLTA workshops and other training.

# Four Tests of a Legal and Enforceable Policy

1. It must comply with current statutes and court cases.
2. It must be reasonable (and all penalties must be reasonable).
3. It must be clear (not ambiguous or vague).
4. It must be applied without discrimination.

Review them and update on a regular basis and provide time for board review and updates.

# Sample Library Policies

- Circulation and Materials
  - Challenged materials
  - Overdue Items and Fines
- Financial Policies
  - Investment Policy
  - Purchasing Policy
- Security and Weapons
- Personnel Policies (often mirror town policy)
  - Employment references
  - Temporary alternative duty

# Budgeting

# Trustees Adopt & Manage Budgets

- 202-A:11 Powers and Duties
- II. Prepare an annual budget indicating what support and maintenance of the free public library will be required out of public funds for submission to the appropriate agency of the municipality. A separate budget request shall be submitted for new construction, capital improvements of existing library property; [gross budgeting required - RSA 32:5 III]

# Gross Budgeting Required

- Gross Budgeting Is Required by RSA 32:5 III:
- Definition: “All appropriations recommended shall be stipulated on a "gross" basis, showing anticipated revenues from all sources, including grants, gifts, bequests, and bond issues, which shall be shown as offsetting revenues to appropriations affected.”
- Revenues to be shown: anticipated income from fines, fees, donations, etc.

# Trustees Spend Money

- III. Expend all moneys raised and appropriated by the town...
- IV. Expend income from all trust funds... in accordance with the conditions of each donation or bequest accepted by the town
- 202-A:4-c Trustees' Authority to Accept and Expend Gifts... any town at an annual meeting may adopt an article authorizing... the public library trustees to apply for, accept and expend...*unanticipated money*... which becomes available *during the fiscal year*.

# Sources of Library Money

- PUBLIC MONEY - from the taxpayers
- PRIVATE MONEY - from private donations, fine money, money from income-generating equipment\*, gifts\*, grants\*, trusts [\*requires town meeting vote once] – require board action to accept these funds. Ref: RSA 202-A:4-c, -d

Attend NH Attorney General (Terry Knowles) meetings in the Spring or at NHLTA conference to learn how to handle various types of money.

# Managing to a Budget

- Choose a strong Treasurer
- Monthly Treasurer's Report to the Trustees
- Cannot overspend the bottom line
- Several ways to manage the money:
  - Allow the town to serve as your bookkeeper.
  - Use town for payroll services, but manage the rest of the money yourself.
  - Handle ALL the money, with the town transferring appropriation to the trustees quarterly.

# Segregation of Funds

- RSA 202-A:11, III: “All money received from fines and payments for lost or damaged books...shall be used for general repairs and upgrading, and for the purchase of books, supplies and income-generating equipment, shall be held in a nonlapsing separate fund and shall be in addition to the appropriation;”
- Need to *account* for fines, fees, etc., separately from public funds so that they do not lapse to the General Fund at year end as public funds do.
- Do not have to hold funds in separate checking accounts, so long as accounting is clear.

# If You Manage the Checkbook Yourself

- Should have a memo of understanding between the Town and Library for timing of distribution of funds by the Town Treasurer. (RSA 202-A:11, III)
- Trustees should sign monthly check register.
- Bank account may require two Trustee signatures



# Preparing a Budget

*Process and timetable will vary depending on whether you are have a traditional town meeting, are an “SB2 town,” or a city. All have these elements:*

- Preliminary budget
  - Director prepares
  - BOT reviews and approves
- Meet with Selectmen/Budget Committee/City or Town Council
- Final Proposed Budget
- Final Budget – approved at Town Meeting or City Council

# Advocating for Your Budget

- Present the budget in the context of the library's mission, goals, objectives.
- Share statistics on circulation, programs, collection—opportunity to educate the public!
- Know what share of the town budget the library represents.
- Know what the library costs taxpayers annually.
  - Pennies on the tax rate
  - Dollars per capita or per average household

***The Library is one of the best deals in Town!***

**Trustees  
Are  
Employers**

# Trustees Are Employers

- Hiring, evaluating, dismissing Librarian and staff - see RSA 202-A:17);
- Supervising and reviewing the Librarian, but not the staff or volunteers
- Setting annual goals
- Setting compensation

*Attend NHLTA and Dept. of Labor training sessions.*

# Trustees Are Employers (Cont.)

- 202-A:11 (Powers & Duties of Library Trustees)  
Appoint a Librarian who shall not be a trustee and, in consultation with the Librarian, all other employees of the library and determine their compensation and other terms of employment ...
- Library employees are **NOT** town employees, they are employees of the Library Board of Trustees (NH Supreme Court, Taylor decision)

# Hiring a Librarian

RSA 202-A:15 Public Librarian; Qualification and Tenure

“The librarian shall be appointed by the board of library trustees for a term of office agreed to at the time of employment and until a successor is appointed and qualified.”

- Protects the librarian from arbitrary termination.
- Protects the library from an extended term of unsatisfactory performance.
- Renewal is a mutual decision of the Board and the Librarian.

# Hiring/Removal of Staff

RSA 202-A:17 Employees; Removal

“No employee of a public library shall be discharged or removed from office except by the board of trustees for malfeasance, misfeasance, or inefficiency in office, or incapacity or unfitness to perform the employee’s duties.”

- Notice and the opportunity for a public hearing must be provided.
- The library staff are NOT “at will” employees.

# Trustees, Librarian and Staff

- The Trustees are the governing body of the Library. They are responsible for policies, for budgeting and for hiring a competent staff.
- The Librarian is responsible for day-to-day operations, supervising staff and volunteers, and maintaining a collection of media consistent with the educational and entertainment needs of the community.
- The staff are responsible to the Librarian.

# The Friends of the Library

- Provide funds and support for the Library
- Meet regularly, usually at the Library
- Undertake fundraising activities
- Provide hospitality for Library events
- Strongly advocate for the Library

*The Friends are GENEROUS supporters and important allies!!!*

# Volunteers

- Volunteers can be used in a variety of ways to supplement *but not replace* the staff.
- Appropriate tasks include shelving, stamping, installing dust covers, etc.
- Volunteers report to the Librarian.
- A background check should be required for all employees and volunteers who have contact with children.

# Board of Trustees Meetings

- Meetings generally occur monthly and last from an hour and a half to two hours.
- Send out an agenda at least several days ahead.
- Stick to the agenda.
- Address new and ongoing business of the library.
- Review library policies, update, and approve them on a regularly scheduled basis.
- Review finance, fundraising, and director's reports.
- Chair is in charge! Robert's Rules or Alice Sturgis Standard Code of Parliamentary Procedure provide guidance for an orderly meeting.

# Board Meeting Evaluation

- Evaluate the effectiveness of the board meetings periodically and make necessary adjustments.
- A timed agenda can improve meeting effectiveness.
- Make sure all participants stay involved.
- Keep track of on-going actions, pending matters.

# RSA 91-A. The Right To Know Law

- Meetings must be open to the public.
- Meetings must be posted in 2 places at least 24 hours prior to the meeting.
- Minutes must be kept, and draft minutes must be *available* to the public not more than 5 business days after the meeting.
- Serial communications may not be used to contravene the spirit of the law. *NO deliberations or decisions via email, other than setting meeting dates.*

***Attend Workshop #15, Complying with RTK Law!***

# 12 Golden Rules for Board Members

1. Before you accept a position on the Board, commit yourself to attending every meeting.
2. Contribute towards Board business by sharing your knowledge, experience and time.
3. Get involved with your organization! If it offers services to the public attend its programs whenever possible.
4. Take responsibility for doing things that you say you'll do.
5. Be a promoter. Tell others about the value of your organization's products and services.
6. Communicate regularly with members of the community or group you represent, so you can bring forward their needs and opinions. Keep them informed of Board activities.

# 12 Golden Rules for Board Members

7. Listen to the advice of the community, to your fellow Board members, and to the organization's Executive Director.
8. Be positive about your organization and its Board in public, even if you don't agree with some of its decisions.
9. Speak up when you disagree with an item being considered by the Board, but concede graciously if the majority doesn't agree with your rationale.
10. Prepare for Board meetings, so that you can be an effective contributor.
11. Maintain the confidentiality of the Board.
12. Have fun, and enjoy the feeling of contributing something positive to your community!

**Clear logic consulting group**

# Library Advocacy

# Library Advocacy

- **Advocacy** is the act of supporting, educating, or recommending for a cause, idea or policy.
- Advocating for a library includes:
  - educating the public and policymakers about the current and evolving roles and values of libraries
  - promoting library programs, and
  - seeking adequate financial support.

# Library Advocacy

Things you should know about your library

- Staff, Friends, Key Volunteers
- Strengths, Programs, Collections
- What makes your library *special*?
- What are your library's goals for the next year and into the future?
- Your key audiences: town officials, managers

# Advocates Are the Voice of the Library

- Wear your library hat at all times.
- Create a 3-minute “elevator” speech and be prepared to deliver it anytime, anywhere.



**“Speak Up, Speak Out,  
Speak For...  
*Libraries*”**

# NHLTA Resources

- NHLTA Board Members
- NHLTA Conferences and Workshops
- 2011 Trustee Manual (being updated for 2016)
- NHLTA Newsletter
- NHLTA Web Site : *<http://www.NHLTA.org>*  
(join **LISTSERV**<sup>®</sup> via link on Home Page)
- **LISTSERV**<sup>®</sup>: to post a message, send email to  
*[NHLTA-L@maillist2.nh.gov](mailto:NHLTA-L@maillist2.nh.gov)*