

Making friends with Friends



A	Thomas A. Ladd, MLS Librarian/Consultant/Trainer 138 Gould Road Whitefield, NH 03598 TAL29106@gmail.com (603) 837-2014
----------	---

A	Thomas A. Ladd, MLS Librarian/Consultant/Trainer 138 Gould Road Whitefield, NH 03598 TAL29106@gmail.com (603) 837-2014
----------	---

Background & Experience

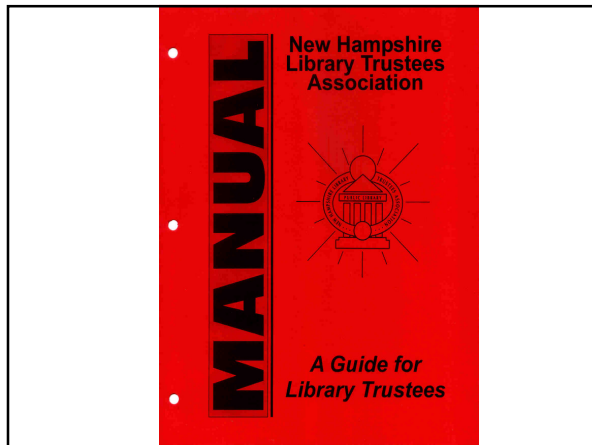
A New Hampshire native
Over 30 years in NH libraries
Over 20 years consultant with NH State Library
MLS - Rutgers University
BA - Plymouth State University
Granite State College - adjunct faculty

A	Thomas A. Ladd, MLS Librarian/Consultant/Trainer 138 Gould Road Whitefield, NH 03598 TAL29106@gmail.com (603) 837-2014
----------	---

Current Library Activities

Library Consultant & Trainer
NH Library Trustees Association - Governance & Legislative Committees
Friends of the Whitefield Library - Vice President
NH Library Association - Life Member

The ideal local public library serves the community well: led by Trustees, run by staff, and supported by Friends. These three groups have the same general goal, but fine-tuning the working relationships can be “interesting.” This session will explore ways to make it work.



FRIENDS OF THE LIBRARY

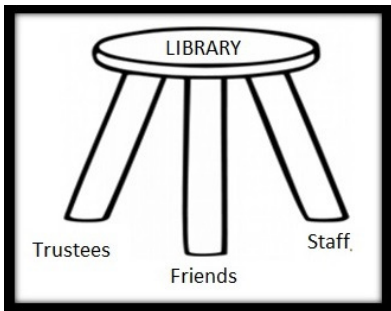
Friends of a library are civic-minded individuals working cooperatively with the trustees and director to support programs that improve and expand library service in the community. A Friends group is a voluntary group with no statutory authority; once formed, however, it must follow certain legal procedures to become a recognized nonprofit corporation and tax-exempt organization.

The Trustees, Director and Friends working together constitute a strong library team so long as each entity clearly understands its role.

Trustees are a legally appointed or elected board and are legally responsible for the results of their decisions and actions. They are restricted to function within the limitation established by local, state and federal laws.

Friends groups are separate independent organizations with their own officers and structure and are not responsible for the administration or governance of the library or and policy-setting functions. Legally, they cannot take on any functions assigned by law to the library board of trustees. Trustees and staff may be members of the Friends but should not be officers. It would be a serious conflict of interest for the governing board and employees of the library to administer the autonomous citizen's group.

“The Trustees, Director and Friends working together constitute a strong library team so long as each entity clearly understands its role.”



ANHLF

Who does what ?

- Trustees
- Library staff
- Friends of the Library
- Roles
- Relationships
- Resources

Trustees



Trustees - NH law

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.... 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.

Variations: cities; private non-profit organization public libraries

Trustees - NH law

202-A:11 Powers and Duties. – Except in those cities...the library trustees of every public library in the state shall:

- I. Adopt bylaws, rules and regulations...
- II. Prepare an annual budget...
- 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 or city;
- V. **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...

Trustees - NH law

202-A:4-c Trustees' Authority to Accept and Expend Gifts.

I. Notwithstanding any other provision of law to the contrary, any town at an annual meeting may adopt an article authorizing indefinitely until specific rescission of such authority, the public library trustees to **apply for, accept and expend**, without further action by the town meeting, **unanticipated money** from the state, federal or other governmental unit or **a private source which becomes available during the fiscal year...**

II. Such money shall be used only for legal purposes for which a town may appropriate money.

Trustees - NH law

202-A:4-c Trustees' Authority to Accept and Expend Gifts.

III. (a) For unanticipated moneys in the amount of \$5,000 or more, the public library trustees shall hold a prior public hearing...

IV. Action to be taken under this section shall:

- (a) Not require the expenditure of other town funds except those funds lawfully appropriated for the same purpose; and
- (b) Be exempt from all provisions of RSA 32, relative to limitations and expenditures of town moneys.

Trustees - NH law

202-A:4-d Acceptance of Personal Property Donated to Libraries. –

I. Any town at an annual meeting may adopt an article authorizing the **public library trustees to accept gifts of personal property, other than money**, which may be offered to the library for any public purpose, and such authorization shall remain in effect until rescinded by a vote of town meeting...

III. No acceptance of any personal property under the authority of this section shall be deemed to bind the town or the library trustees to raise, appropriate, or expend any public funds for the operation, maintenance, repair, or replacement of such personal property.

Trustees - Best Practices

- Leadership
- Planning
- Advocacy
- Adequate financial support
- Relationships
- Make decisions as a Board
- Adopt policies

Library Staff



Library Staff - NH law

RSA 202-A:15 Public Librarian; Qualification and Tenure. – **The librarian shall have education of sufficient breadth and depth to give leadership** in the use of books and related materials. 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.

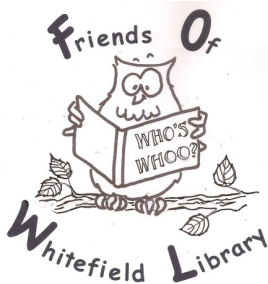
RSA 202-A:16 Powers and Duties. – In addition to any other duties which the librarian may be delegated from time to time, the public librarian shall:

I. **Serve as the administrative officer of the public library;** ...

Library Staff - Best Practices

- Library services to patrons
- Collection development
- Programming
- Management of staff & resources
- procedures to carry out policy

Friends of the Library



Friends of the library - NH law

RSA 292 VOLUNTARY CORPORATIONS AND

ASSOCIATIONS 292:1 Incorporators; Purposes. – Five or more persons of lawful age may associate together by articles of agreement to form a corporation, for any of the following purposes:

I. **The promotion** of the cause of temperance and **of any charitable** or religious **cause**.

II. The establishment and maintenance of literary and scientific institutions, **libraries**, lyceums and musical, agricultural, literary, or scientific associations, the promotion of education and the arts and sciences by any other means and for mental improvement....

XV. Any other purpose for which an organization may be exempt from federal taxation under section 501 of the Internal Revenue Code of 1954, and any amendments thereto.

Friends of the library - NH law

292:2 Articles of Agreement. – The **articles of agreement** shall contain the following:

I. The name of the corporation.

II. The object for which the corporation is established.

II-a. The provisions for establishing criteria and procedures for membership and participation in the corporation...

Friends of the library - NH law

292:6 Bylaws; Organization. – The initial bylaws of a corporation shall be adopted by a 2/3 majority action of the signers of the articles of agreement...

The bylaws may contain any provisions for **the regulation and management of the affairs of the corporation** not inconsistent with the laws of the state or the articles of agreement, including provisions for issuance and reacquisition of membership certificates.

Friends of the library - NH law

NEW HAMPSHIRE NONPROFIT CHECKLIST

Legal Requirements for NH Nonprofit Organizations
(defined as all IRS 501(c)(3) entities, except religious organizations)

For All Nonprofits

Annually

- Filing of Annual Report with NH Director of Charitable Trusts*
- Filing of appropriate annual tax returns:
 - o If annual revenue is over \$25,000, filing Form 990 with the IRS and the NH Director of Charitable Trusts * OR,
 - o If annual revenue is under \$25,000, filing Form 990N with the IRS
- Conflict of Interest Policy and filing of annual conflict of interest statement with the NH Director of Charitable Trusts

When nonprofit is established

- Registration with NH Secretary of State* (must be renewed every five years)
- Minimum of five independent directors (see RSA 292:6-a)
- IRS 501(c)(3) tax exempt status confirmed by IRS Exemption Letter
- Employer Identification Number (EIN) received from IRS
EIN _____

Friends - Best Practices

- Private nonprofit organization
- Purpose - to support the library
- Legally organized & reporting
- 501(c)(3) ?
- Not run by library staff or Trustees
- Events & activities support the purpose

Friends - Events & Activities

- Fundraising
- Friendraising
- Volunteering in library
- Tasks & projects
- Advocacy

Communicate! Avoid misunderstandings

Video - Window shopping

Who does what ?

- Trustees
- Library staff
- Friends of the Library
- Roles
- Relationships
- Resources

Book sales

- Where do books come from?
- Where is it held?
- How is it promoted?
- Who does what work?
- Who gets the money? (for now)
- Where do unsold books go to?

Fundraising



Fundraising

- Selling things
- Doing things
- Events

Friendraising

- Recruitment
- Membership
- Publicity
- Organizing support

Volunteering in library

- Scheduled library tasks
- Special projects
- One time things

Tasks & Projects

- Special things needing doing

Advocacy

- Speaking up for the library
- Encouraging support

Advocacy Resources



New Hampshire Library Trustees Association
 To serve, improve and promote New Hampshire public libraries.
 53 Regional Drive, Ste. 1, Concord, NH 03301

Open All | Close All

- Home
- About NHLTA
- Library News**
 - What's Happening
 - Calendar
 - Did You Know?
- Advocacy**
 - Newsletter
- Resources
- Membership
- Conference & Workshops
- Contact Us
- Friends of the Library

Speak Up! Speak Out! Speak For Libraries!

Grass Roots Advocacy in Action!
 1-14-2014 - Howe Library, Hanover, celebrates the year in a letter to the editor. Search out to your community using this easy effective method and advocate for YOUR library. Our thanks to Library Director Mary White for sharing her suggestions and letter.

Many says, "I have learned over the years that many people read letters to the editor so we send in four or five each year. Sample topics include Teen Writing Workshops, museum passes, India Fix (streaming of Independent films), and Summer Sundays. We have different staff write the letters so that many staff names get recognized. I highly recommend this means for catching people's attention."

ADVOCACY RESOURCES
 The Small But Powerful Guide to Winning Big Support for Your Rural Library
<http://www.ala.org/offices/obsa/booklets/rural>

NHLTA Advocacy Guide: a handbook of information and tips on the process of establishing advocacy positions.
nhlta.org/legislative/advocacy-guide

www.nhlta.org

Advocacy

- Speaking up for the library
- Encouraging support
- Campaigning ? ?? ???

Campaigning???

- In order to maintain tax exempt status, 501(c)(3) nonprofit organizations cannot engage in political campaigning. Nonprofits with 501(c)(3) tax exempt status should be ever vigilant about this prohibition -- a violation could result in severe consequences. --NOLO.com

Campaigning???

- The federal tax law is very strict on the issue of political campaigning: A 501(c)(3) organization is absolutely forbidden to directly or indirectly participate in any political campaign on behalf of (or in opposition to) any candidate for elective public office. Violation of this prohibition could lead the IRS to completely revoke your organization's tax exempt status or impose excise taxes on your organization. --NOLO.com

Campaigning???

- In general, the IRS rule refers to campaigns between people who are running for offices in public elections.
- Your organization cannot participate in a campaign, directly or indirectly, on behalf of or in opposition to a candidate --NOLO.com

Campaigning???

- Your organization **may** engage in non-partisan activities such as non-partisan voter registration drives, non-partisan candidate debates, and non-partisan voter education, as long as these activities fulfill your exempt purposes --NOLO.com

Campaigning???

- Your organization **can** engage in legislative advocacy and issue-related advocacy, as long as it follows certain rules and steers clear of political campaigning --NOLO.com

Campaigning ?

- Even if not a 501(c)(3), a Friends group may have restrictions
- Check your Articles of Incorporation and Bylaws
- It may be impolitic if not illegal

Who does what ?

- Trustees
- Library staff
- Friends of the Library
- Roles
- Relationships
- Resources

Potential conflicts

- Staff as Trustees?
- Friends as Trustees?
- Staff as Friends?
- Trustees as Friends?
- Trustees as Staff?
- Friends as Staff?

Potential conflicts



Making friends with Friends



Thomas A. Ladd, MLS
Librarian/Consultant/Trainer
138 Gould Road Whitefield, NH 03598
TAL29106@gmail.com (603) 837-2014

<http://sites.google.com/site/tal29106/>

Other thoughts or ideas - share!
