

February 4, 1988 Revised: October 6, 1988 Revised: June 1, 2006 Revised: March 4, 2010; Revised: **May 30, 2013** Rochester Public Library District

BYLAWS OF THE ROCHESTER PUBLIC LIBRARY

These rules are supplementary to the provisions of the statutes of the State of Illinois as they relate to the procedures of Boards of Library Trustees.

Article I

Name

This library shall be known as the Rochester Public Library District.

Article II

Purpose

Rochester Public Library District provides materials, services and programs **for** the informational, educational, cultural and recreational needs of district residents. **Through** a knowledgeable staff and broad **library** collection and the facility from which **it** serves **its residents**, the Library is a central institution within its **service area**. It strives to expand **its residents'** knowledge, appreciation of books and **other** reading **materials** and to offer the assistance people need to find, evaluate and use electronic and print information resources that help them live successful and rewarding lives.

Article III

Organization of the Library Board

Section 1. Composition.

The Library Board shall consist of seven (7) **trustees** interested and committed to the purpose of the Rochester Public Library **District**.

1a. Eligibility. Any person 18 years of age residing within the limits of the Rochester Public Library District willing to subscribe to the American Library Association's "Ethics Statement of Public Library Trustees."

1b. Terms. The term for a Board **Trustee** shall be four years.

Section 2. Filling Vacancies on the Board.

Whenever a vacancy occurs, the remaining **Trustees** shall fill the vacancy by appointment until the next regular library election, at which election, a successor shall be elected to serve the remainder of the unexpired term. However, if the vacancy occurs with less than 28 months remaining in the term, and if the vacancy occurs less than 88 days before the next regular scheduled election of the office, the person so appointed shall serve the remainder of the unexpired term, and no election to fill the vacancy shall be held. The Board shall fill the vacancy forthwith. Immediately following a vacancy on the Board of Trustees, the Board will publicize it and accept letters of application from qualified District residents who are interested in filling the vacancy. After reviewing the applications, the Board may invite the prospective candidates for personal interviews to be conducted during a duly scheduled closed meeting. *(Legal Ref.: 75 ILCS 16/30-25)*

Section 3. Declaring Vacancies on the Board.

Elective office of Trustee becomes vacant before the term's expiration when any of the following occurs:

1. Death of the incumbent.
2. Written resignation, either electronic or in print format, filed with the Secretary of the Board.
3. Legal disability of the incumbent which prevents the Trustee from doing his/her job.
5. Declines or is unable to serve.
6. Absent without cause from all regular Board meetings for a period of six continuous months or an accumulated period of nine months within a span of one year.
7. Is convicted of a misdemeanor for failing, neglecting or refusing to discharge any duty imposed upon a Trustee by 75 ILCS 16/1-1 et seq.
8. Fails to pay the library taxes levied by the corporate authorities.
9. The decision of a competent tribunal declaring his or her election void.
10. Ceasing to be a resident of the Rochester Public Library District.
11. An illegal conflict of interest.

Section 4. Election of Board Officers.

At the first regular meeting in June of **an** odd year, **the following** officers shall be **elected** from **then-serving** Board **trustees**: President, Vice-President, Secretary, and Treasurer. The **elections** shall be conducted by open nomination and ballot.

4a. Term of Officers. Terms shall be **for two (2) consecutive years**, from June of an odd year to the next June of **the following** odd year.

Section 5. New Trustees.

The Library Director shall meet with **each** new trustee to **view the facility and its** property, review services, and shall present **each** new trustee a packet which includes the Library Policy and other procedural manuals, a list of trustees and committees, minutes and financial reports for the previous 12 months, and other pertinent information.

Article IV

Privileges and Duties of the Board

Section 1. Privileges.

Board **trustees** are not to be compensated, but will be reimbursed for necessary and related expenses as trustees. Reimbursement will be approved by **the Board** and paid for only after receipts are provided to the Board Treasurer.

Section 2. Board of Trustees Ethics.

Rochester Public Library **District** subscribes to the American Library Association's "Ethics Statement of Public Library Trustees" as follows:

1. Trustees must promote a high level of library service while observing ethical standards.
2. Trustees must avoid situations in which personal interests might **result in** service or financial benefits gained at the expense of library users, colleagues or the **district**.
3. It is incumbent upon any trustee to **declare and then** disqualify **himself** or **herself** immediately whenever the appearance of a conflict of interest exists.

4. Trustees must clearly distinguish in their actions and statements between their personal philosophies and attitudes and those of the library, acknowledging the formal position of the Board even if they personally disagree.
5. Trustees must respect the confidential nature of library business while being aware of and in compliance with applicable laws governing freedom of information.
6. Trustees must be prepared to support to the fullest the efforts of librarians in resisting censorship of library materials by groups or individuals.
7. Trustees are expected to perform all functions of a Library Trustee.

Section 3. Conflicts of Interests and Trustees.

No Trustee may solicit or accept a gift that appears to be offered because of his or her official position. No **Trustee** shall act or vote on any contract, work, or business of the District upon which the Trustee has a beneficial interest, either directly or indirectly. The Trustee must excuse **himself or herself** from any discussion or voting on that **interest**. Annually, Trustees must file a "Statement of Economic Interest" as required by the Illinois Governmental Ethics Act. Each Trustee is responsible for **timely** filing such statement with the Sangamon County Clerk's office and providing photocopies of said documentation to the Library Director. **5 ILCS 420/4A-106**

Section 4. Responsibilities.

The Board is entrusted with the responsibility of the governance of the library. It is a Trustee's responsibility to attend meetings, read materials presented for review, and stay current on issues pertaining to the library. Responsibilities include those outlined by **these Bylaws**, plus but not limited to, the establishment and support of library policies, to oversee the proper maintenance of the **Library's** property, to authorize salary and benefit plans, to develop and review the annual budget, and to advocate for funding necessary to meet the library's needs.

4a. The Board **of Trustees** will hire a **qualified** Library Director who will be responsible for the day-to-day operations of the library. The Board will also evaluate the Director's performance annually prior to salary discussions.

Section 5. President.

The President of the Board shall preside at all meetings, appoint all committees, authorize the call for special meetings, and generally perform the duties associated with that office. The President shall serve on the Personnel Committee. The President shall be the only spokesperson for the Board of Library Trustees in all advisory or disciplinary action directed to the staff. The **President** shall have authorization to **counter-sign** checks.

Section 6. Vice-President.

The Vice-President shall assume the duties of the President in his/her absence until their return or an election by the Board. The Vice-President shall also assume any duties appointed to him/her. The **Vice President** shall have authorization to **counter-sign** checks.

Section 7. Secretary.

The Secretary shall keep a true and accurate account of all Board meetings and submit the minutes of those meetings to the library staff in the approved manner. The Secretary shall call for special meetings on the authorization of the President. In the absence of the President and Vice-President, the Secretary

shall assume the President's duties until their return or an election by the Board. **The Secretary** shall have authorization to **counter-sign** checks.

Section 8. Treasurer.

The Treasurer shall be custodian of all moneys, trust funds, real estate, and all other assets controlled by the Library Board. He/she shall, along with another officer, **counter-sign** checks on authorization of the Board and shall report at each meeting on the state of the funds. The Treasurer shall also serve on the Finance Committee. He/she shall be bonded at "not less than 50% of the total funds received by the library in the last fiscal year" as required by 75 ILCS 16/30-45(e). In the absence or inability of the Treasurer, his/her duties shall be performed by such other **Trustees** of the Board, as the Board may designate.

8a. The normal depository for financial records shall be the library.

8b. In the Treasurer's absence, the President or Vice-President shall perform the Treasurer's duties.

Article V Meetings

Section 1. Regular Monthly Meetings.

The regular monthly meeting of the Library Board shall be determined **annually** at the June meeting. **The meetings shall be held in the Library.** The Library Director shall then (1) provide for the local newspaper the schedule of regular meetings of the board for the ensuing fiscal year, and (2) post the schedule of meetings at the Library and online. Both notices shall have the dates **and** times of such meetings.

Any deviation of a **scheduled regular meeting** will be voted on and **approved** by a majority vote. **Any** change shall be made public by either posting at the Library and online or by publication.

The Library Board and its committees and subcommittees shall operate in compliance with the Open Meetings Act.

1a. A meeting **requires** a quorum of at least four (4) **Trustees** present.

1b. Meetings will be open to the public, and noticed in advance.

Section 2. Annual Budget and Annual Report.

At one regular meeting during the **fiscal** year, an annual budget and an annual report shall be adopted in accordance with the law. Target date for completion of the annual budget and annual report should be **September 1**, but no later than **the fourth Thursday of September**.

Section 3. Meeting Agenda.

The agenda and or information packet shall be distributed to **each Trustee** by the Library Director prior to **each regular monthly** meeting. Any **Trustee** wishing to have an item placed on the agenda will call the Library Director in sufficient time preceding the meeting in order to have the item placed on the agenda. The order of business at the regular meeting shall include:

1. Call to Order/Roll Call/Recognition of Visitors
2. Reading and approving Minutes of last meeting.
3. Treasurer's Report
4. Old Business
5. New Business
6. Other
7. Communication
8. Director's Report
9. Public Comment
10. Closed Session
11. Adjournment

Section 4. Special Meetings.

Special meetings may be requested by any **Trustee**, only for the transaction of business stated in the call. Notice with the agenda of the **special** meeting must be given at least 48 hours in advance, except in the case of a bona fide emergency. It is the duty of the President or a quorum of the Board to authorize a special meeting.

Section 5. Definition of a Quorum.

A quorum for the transaction of business shall consist of four(4) **Trustees**.

Section 6. Conduct of Meetings. Proceedings of all meetings shall be governed by Robert's Rules of Order, Revised.

Section 7. Minutes.

Minutes or any committee reports, or such memorandum from these meetings, shall be **filed with the Secretary**. These minutes and reports, within 30 days after approval, shall be submitted to the library staff to be publicly posted online or at the library. Once received by the staff, the **documents** must be posted ***within 7 (seven) days of approval by the Board in compliance with the Open Meetings Act*** .

Article VI Committees

Section 1. Special Committees.

Special Committees for the study and investigation of any problem or project may be appointed by the President. Each committee shall consist of at least two (2) **Trustees** and **may** include a library district **resident** over the age of 18. **Each** committee shall **exist** until the completion of the work for which it was appointed.

Librarian Search Committee.

When the position of librarian falls vacant, the Board shall immediately select an acting librarian for the interim and establish a Librarian Search Committee, which shall consist of the President and two Trustees elected from the Board. Applications for the position of librarian shall be filed at the library and available to all Board Trustees. The Search Committee shall report the results of applications and interviews to the Board. Five votes shall be required for the Board to hire a Librarian, after which the Search Committee is dissolved.

1a. All special committees shall make a progress report to the Board at each of its meetings.

1b. Any action by a special committee is ultimately the responsibility of the Board. A committee may study, investigate and suggest an action, **but** only the Board can approve that **recommended** course of action.

Section 2. Standing Committees.

There are three standing committees appointed each year by the President at the June Board meeting. They are:

1. Joint Facilities Committee: This committee shall work with the Village on issues that overlap between the Library and Village. The responsibilities include but are not limited to, conducting an annual inspection of the library's physical facility to identify areas which are in need of repair, and making recommendations to the full Board regarding any and all repairs which are deemed necessary either as a result of the annual inspection or throughout the year as the need arises.

2. Finance Committee: This committee shall consist of the Treasurer and one other **Trustee**. Their responsibilities include, but are not limited to, drafting a preliminary budget.

3. Personnel Committee: This committee shall consist of the President, one other **Trustee** and the Library Director when appropriate. Their responsibilities include, but are not limited to, preparation of the annual review of the Library Director for discussion among the full Board prior to the **Library Director's** formal review, assisting the Library Director in the preparation of the annual statement of goals and objectives for the **ensuing** year, and assuming a leadership role in the resolution of any personnel conflict which cannot be resolved by the Library Director. The Library Director is responsible for the annual review of all other library employees.

Article VII General

Section 1. Amending Bylaws.

These Bylaws may be amended at any regular Board meeting by **vote of five (5) Trustees**, provided that the amendment was stated at a previous meeting or in a called meeting. Notice of proposed amendments must be stated at any regular meeting of the Board. Final action of a proposed amendment may be taken at the next regular meeting following the one at which it was introduced.

Section 2. Duties of the Library Director. The Library Director shall administer the policies adopted by the Board. Among duties and responsibilities of the Library Director shall be that of hiring personnel, directing, supervising and disciplining of all staff members, monthly and annual reports as required by the Board, and recommending such policy and procedure as will promote the efficiency and service of the library.

Section 3. Administrative Records.

Administrative records of the library shall be kept in the library and shall be available to the general public upon request. These shall include the monthly and annual reports of the library, all financial reports, minutes of the public Board meetings, and actions and other such items filed by the Board or Library Director.

Staff personnel records are confidential and shall be kept in a secure place, and only the Library Director or any person authorized by the **Board** shall have access to these records.

Confidential records of the Board, such as personnel records concerning the Library Director, shall be kept in the library and only members of the Board shall have access to these records.

Section 4. Circulation Records.

Circulation records and other records identifying the names of library users with specific materials hereby are recognized as confidential in nature, and access thereto is hereby restricted to library staff and those members of the public with legitimate interest therein, as hereafter provided for.

All library staff and employees are hereby advised that such records shall not be made available to casual members of the public, the press, or to any agency of State, Federal, or local government, except pursuant to such process, order, or subpoena as may be authorized under the authority of and pursuant to Federal or State law relating to civil, criminal, or administrative discovery procedures or legislative investigative power.

Library staff shall observe the follow procedures: On receipt of any legal process, order, or subpoena, the library staff member in charge will immediately consult with the President of the Board and the Library Attorney to insure that (a) the document is in proper legal form, and (b) there has been a proper showing of good cause for its issuance by a court or administrative body of competent jurisdiction. Until the legality of such process, order, or subpoena has been affirmatively shown to the satisfaction of the Library Attorney, the Library will resist **production of any records** until any defects have been cured.