

BYLAWS OF THE ROCHESTER PUBLIC LIBRARY DISTRICT
(Revised: December 10, 2023)

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 (hereafter referred to as the “Library”).

ARTICLE II - PURPOSE

The Library provides materials, services and programs for the informational, educational, cultural and recreational needs of district residents. It strives to expand its resident’s 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 of Trustees (hereafter called the “Board”) shall consist of seven (7) Trustees interested and committed to the purpose of the Library. Trustees must be at least 18 years of age and reside within the limits of the Library and be willing to subscribe to the American Library Association’s “Ethics Statement of Public Library Trustees.” The term for a Trustee shall be four (4) years.

Section 2. 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.
4. Declines or is unable to serve.
5. The Trustee is absent without cause from all regular Board meetings for a period of one year.

6. Is convicted of a misdemeanor for failing, neglecting or refusing to discharge any duty imposed upon a Trustee.
7. Fails to pay the library taxes levied by the corporate authorities.
8. The decision of a competent tribunal declaring his or her election void.
9. Ceasing to be a resident of the Rochester Public Library District.
10. An illegal conflict of interest.

Section 3. 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 residents within the Rochester Public Library District. After reviewing the applications, the Board may invite the prospective candidates for personal interviews to be conducted during a duly scheduled closed meeting. [75 ILCS 16/30-25]

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 Trustees: President, Vice-President, Secretary, and Treasurer. The elections shall be conducted by open nomination and ballot.

The terms of the officers 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 Director shall meet with each new Trustee to view the facility and its property and review services offered by the Library. Library policies, a list of trustees, meeting minutes, and financial reports are available online and will be provided by the Director to the new Trustee upon request.

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

The Library 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 Board, 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 staff 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 Library 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 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.

The Board will hire a qualified Director who will be responsible for the day-to-day operations of the Library.

Section 5. President

The President of the Board shall:

- 1) preside at all meetings,
- 2) appoint all committees,
- 3) authorize the call for special meetings,
- 4) serve on the Personnel Committee
- 5) serve as the Board spokesperson in all advisory or disciplinary action directed to staff
- 6) possess the authority to counter-sign checks, and
- 7) generally perform the duties associated with that office.

Section 6. Vice-President

The Vice-President shall:

- 1) assume the duties of the President in his/her absence until their return or an election by the Board,
- 2) assume any duties appointed to him/her, and
- 3) possess the authority to counter-sign checks.

Section 7. Secretary

The Secretary shall:

- 1) keep a true and accurate account of all Board meetings and submit the minutes of those meetings to the Director,
- 2) call for special meetings on the authorization of the President,
- 3) 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, and

- 4) Possess the authority to counter-sign checks.

Section 8. Treasurer

The Treasurer shall:

- 1) be the custodian of all moneys, trust funds, real estate, and all other assets controlled by the Board.
- 2) counter-sign checks, along with another officer, on authorization of the Board
- 3) report at each meeting on the state of the funds,
- 4) serve on the Finance Committee,
- 5) be bonded at “not less than 50% of the total funds received by the library in the last fiscal year.” [75 ILCS 16/30-45(e)]

In the absence or inability of the Treasurer, his/her duties shall be performed by such other Trustees, as the Board may designate. The depository for financial records shall be the library. 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 Board shall be determined annually at the June meeting. The meetings shall be held in the library. The 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 and will be open to the public.

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

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. The 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 Board president should develop a meeting agenda and distribute it in a timely fashion before each Board meeting. The agenda and/or information packet shall be distributed to each Trustee by the Director prior to each regular monthly meeting. Any Trustee wishing to have an item placed on the agenda will contact the Director five (5) business days prior to the meeting. In case of late additions, these should be submitted to the President no later than 72 hours prior to the meeting date.

The order of business at the regular meeting shall include:

1. Call to Order/Roll Call/Recognition of Visitors
2. Public Comment
3. Approval of minutes of previous meeting
4. Treasurer's Report/Approval of Bills
5. Unfinished Business
6. Committee Reports
7. New Business
8. Other Business
9. Communications
10. Director's Report
11. Closed Session
12. Next Regular Meeting Date
13. 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, immediately upon approval, shall be submitted to the Director to be publicly posted online or at the Library. Once received by the Director, the documents must be posted within seven (7) days of approval by the Board in compliance with the Open Meetings Act.

Section 7. Virtual Meetings

It is the policy of the Rochester Public Library District that a board member; which is subject to the provisions of the Open Meetings Act may attend and participate in any open or closed meeting of the Rochester Public Library Board from a remote location via telephone, video or internet connection, provided that such attendance and participation is in compliance with this policy and any other applicable laws.

Virtual meetings: A quorum need not be physically present at a meeting if the requirements in section 7(e) of OMA for a remote meeting during a public health disaster are met. These requirements are:

- A proper disaster declaration is in place;
- The president has determined that in-person meetings are not practical or prudent;
- All members are verified and can hear one another and all discussion and testimony;
- If the public is present, they can hear all discussion, testimony and votes of the members, and if public attendance isn't feasible because of the disaster, the board must make alternative arrangements for access (and provide notice), such as by telephone or a web-based link, for any interested member of the public to contemporaneously hear all discussion, testimony, and roll call votes;
- One board member, chief legal counsel, or chief administrative officer (e.g. the library director) must be physically present at the regular meeting location, unless unfeasible;
- All votes must be conducted by roll call;
- Proper notice must be given, and any closed session must be recorded;
- Members attending remotely count towards a quorum and may fully participate;
- The board must also keep a verbatim record, either audio or video, of the open meeting, and make the recording available to the public;
- The board bears all costs.

Virtual attendance (5 ILCS 120/7): If a quorum is physically present as required by Section 2.01, a majority of the board may allow a member to attend the meeting by "other means," but only if the member is prevented from physically attending because of one of the following reasons:

- Personal illness or disability;
- Employment purposes or the business of the board; or
- A family or other emergency.

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 Library residents over the age of 18. Each committee shall exist until the completion of the work for which it was appointed. All special committees shall make a progress report to the Board at each regular Board meeting. 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.

1. Search Committee: When the position of Director falls vacant, the Board shall immediately select an Acting Director for the interim and establish a Search Committee, which shall consist of the President and two Trustees elected from the Board. Applications for the position of Director 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 Director, after which the Search Committee is dissolved.

Section 2. Standing Committees

There are three standing committees appointed each year by the President at the June Board meeting. The Director serves as an ex-officio member of each standing committee. 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 and one other Trustee. Their responsibilities include, but are not limited to, ensuring the Director's performance is evaluated consistent with the Personnel Policy approved by the Board and assuming a leadership role in the resolution of any personnel conflict which cannot be resolved by the Director.

Article VII - General

Section 1. Amending Bylaws

These Bylaws may be amended at any regular meeting of the Board, provided the amendment was stated at the previous meeting or by written notice given to all Board members at least ten (10) days prior to the meeting. A vote of five (5) Trustees is required to amend the Bylaws.

Section 2. Duties of the Director

The Director is responsible for day-to-day operations of the library. The Director's duties and responsibilities are described in the Director's position description, personnel manual, and the "Division of Responsibility" policy.

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 Director.

Staff personnel records are confidential and shall be kept in a secure place, and only the Director shall have access to these records. The Board may authorize the Library's legal counsel to access staff personnel records.

Confidential records of the Board, such as personnel records concerning the 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 following procedures: On receipt of any legal process, order, or subpoena, the library staff member in charge will immediately consult with the President, or the Vice-President in the President's absence. The President, or Vice-President, will contact the Library's attorney to insure that:

- 1) the document is in proper legal form, and
- 2) 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's attorney the staff will resist production of any records until any defects have been cured.

Adoption and Revision History

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