

Handbook for North Dakota Public Library Board Members

Volume I - General



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Volume I - General



DISCLAIMER

The primary purpose of this publication is to provide information. The following pages of suggestions are offered as guidelines and should not be regarded as legal advice. They are intended to alert public library boards and directors to some of the many issues that exist within the general scope of library operations. Nothing contained herein should be interpreted as replacement for competent legal and other such consultation.

HANDBOOK AVAILABLE

This handbook is available on the North Dakota State Library website at www.library.nd.gov and can be printed or changed to meet the needs of your library and library board members.

ACKNOWLEDGEMENT

This handbook was prepared using much information from *Trustee Essentials: A Handbook for Wisconsin Public Library Trustees*. Duplication and distribution for not-for-profit purposes permitted with copyright notice.

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FOREWORD

The North Dakota State Library is constantly searching for ways to help the many local public libraries in North Dakota that are a major part of its constituency. From time to time, the State Library receives questions from library directors and from library board members about problems they are having regarding board meetings, procedure, protocol, laws, regulations, etc., that apply to library boards.

This handbook is one in a current series of three and will provide an overview to some of the many questions, problems, and issues confronting library directors and boards as they go about the business of governing and managing North Dakota's public libraries.

A second handbook deals specifically with the conduct of board meetings. Although it is addressed to board presidents, it is strongly recommended that all other board members, the library director, and anyone else who has an interest in effective public library board meetings, read this publication.

The third volume in this series speaks to some of the concerns that public library boards and their directors have regarding their role as employers and supervisors.

Please carefully read through all three of these publications; share your evaluations of them with us; and let us hear from you about any other subjects that you feel we should cover in subsequent efforts.

We wish to thank all the people who volunteered to examine the material and to offer valuable information and suggestions. Thanks to the staff at the State Library for their efforts to make this a practical tool for those who govern and manage the state's libraries.

Doris A. Ott
State Librarian

INTRODUCTION

Following are a number of subjects that public library boards in North Dakota deal with on an ongoing basis. Each subject is deserving of extensive and intensive treatment. Large volumes of information could be generated to adequately cover each item. Space to do this, unfortunately, is not available. So the items are mentioned to alert boards and directors to their existence and their importance. Much more reading and research are warranted and highly recommended. Such information is available through your state and public library.

SECTION I

Appointment, Composition, and Structure of the Board

Did you ever wonder where you came from (as a library board member, that is)?

North Dakota Century Code 40-38-03 describes your existence. The governing body of either a municipality or county maintaining a library and reading room is empowered to appoint a board of five directors to be the governance of that facility. (Even if your library has a joint board.)

You must be a resident of the city or county you are representing. Of these five directors, one must be a member of the appointing body or a designated representative thereof. Once the rotation has been established, members shall hold staggered, three-year terms. Members cannot serve more than two consecutive terms. After being off the board for a year, however, the member is eligible once again for appointment.

If a vacancy occurs, the appointing body shall appoint a replacement FOR THE REMAINDER OF THE TERM ONLY - in other words, the rotation is kept intact. That appointee can go on to have two three-year terms. No compensation will be paid to any library board member. Library boards may, however, include budget line items for training and in-service work and can pay incurred expenses for such activity.

Boards may organize themselves for action. Board members are referred to *Handbook for North Dakota Public Library Board Members, Volume II – Conduct of Effective Board Meetings*, for additional information on organizing the board. That publication is a part of the trilogy that the State Library has developed and distributed.

General powers and duties for the library board of directors are expressed in NDCC 40-38-04. Some specific obligations are described in NDCC 40-38-05 through 40-38-12.

Library boards are subject to North Dakota's open records/open meetings laws. Section VII in *Volume II* of this series is devoted entirely to this sensitive and important topic. The functioning of the library board is also covered in detail throughout that same publication.

A publication of the State Library titled, *North Dakota Library Law*, is available on the North Dakota State Library website – www.library.nd.gov. This booklet contains specific laws that apply to libraries in the state and is recommended to be close at hand during all library board meetings.

SECTION II

Making Your Own Rules

NOTE: Section II is oversimplified. As you read through it, you will quickly note that some very complex activities are stated as matter-of-fact, when in reality, much effort must be expended to get to the point where a board has its mission, goals, objectives, policy, and bylaws in place.

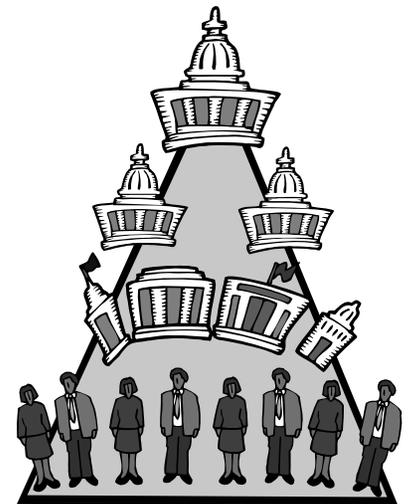
Each of these items deserves detailed treatment. Boards that are interested in pursuing the proper development of these factors may wish to seek assistance from the numerous sources throughout the state that can visit with a board and get things started through a program of long-range planning, setting goals, and objectives, etc. To properly formulate such statements, you may need help from the outside.

More information about long-range planning and policy development is contained later in this publication.

There is a definite hierarchy of authority sources when speaking of the governing boards of public activities. All must follow the appropriate federal requirements and of course, the applicable state laws and regulations.

From that point forward, you, the local board of directors, make the decision about nearly every procedure that a board uses to carry out the governance function. To illustrate the hierarchy mentioned above, the following chart is presented for your review:

Federal Laws and Regulations
State Laws and Regulations
Your Own Mission Statement
Your Own Goals and Objectives
Your Own Policy Statements
Your Own Bylaws
Procedural Rules That You Adopt (Robert's, Sturgis, Jones, etc.)



Making Your Own Rules



As you can see, once you have adhered to federal and state mandates, you pretty well call the shots. You formulate your own mission. It is simply a statement of the self-imposed duties you are to assume. Through your long-range planning activities, you develop goals and objectives that are of your choosing. These goals and objectives should be focused on accomplishing the mission you have created for yourself and of course, cannot be in conflict with federal or state law.

Then comes your policy statement(s). This is a written document that contains the course of action you will take to move toward the fulfillment of the requirements you have selected to meet through your mission, goals, and objectives.

Bylaws are specific courses of action, which hopefully will address all that is likely to arise as you go about your business. Bylaws are usually the result of experience and are revised often as more experience is accumulated. Such items as meeting times, procedural rules, elections, officers, constitution of a quorum, name of organization, voting, and membership requirements are some of the things that bylaws will prescribe.

Finally, (contrary to popular belief) the least authoritative element is the set of procedural rules your board selects to guide you through the mechanics of meetings. *Robert's Rules of Order* seems to remain the prevalent resource for guidance. There are others available, but Robert's is the most utilized.

What this means is that you as a board have the authority to prescribe all the procedures that are used at your meetings. What you create for conducting your board meetings has precedence over Henry Robert, Alice Sturgis, and O. Garfield Jones.

But wait! You probably don't want to reinvent all procedural rules, and it is highly recommended that you select a set of procedural rules to follow.

The point being made here is that you have a great deal to say about how your meetings are conducted. Develop a program of planning so that your entire board can examine the processes involved in being a member of a governing body.

Much additional information is contained throughout *The Road to an Effective Meeting*, the second volume in this series.



SECTION III

Job Descriptions for Library Board Members

It's beginning to sound like a broken record, however, more information about job descriptions for board members is contained in Section II of *Volume II* of this series.

If a traveler has a particular destination in mind, it is unlikely that destination will be reached without a current and accurate map. That map function is also one role of a job description.

A job description serves many different valuable purposes. Basically, it gives direction to a board member and provides specifics for operation. Being a good board member is certainly not a simple task. It requires knowledge and ability to complete the assigned task. Members wouldn't have been appointed if they weren't sharp to begin with. But no matter how sharp a person is, a new job requires some in-service and some guidance – that's one of the major aims of all job descriptions. It is a good idea that a new board member is familiar with the library, gets a formal tour of the library, and discusses with the President of the Board and the Library Director the role of the board.

Later, evaluation of the collective board and the individual board members will be addressed. In order to properly evaluate a board member (or anyone else for that matter), there must be some standard to which performance is held. How does a board member know if the job being done is satisfactory? Only if assigned duties and expectations are clearly stated will effective evaluation take place.

There are eleven (11) items included in Section II - C of *Volume II* and each board member should use these items to determine how well the boardsmanship challenge is being met. These eleven (11) statements will serve as the basis for an appropriate job description for public library board members.

Another good source of material for preparing a board member's job description is a publication that is available on the North Dakota State Library Website at <http://www.library.nd.gov/publications/trusteeguidelines.pdf> and is titled, *What Am I Supposed To Do?* It contains valuable information and is a recommended resource for the formulation of job descriptions.

Being a library board member is too important to be taken lightly. The assignment requires a lot of things not the least of which is a thorough knowledge of what is expected. Job descriptions articulate these expectations.

Although it's not one of the first things that comes to mind, a board member has an obligation to be an advocate for library employees THROUGH THE Library Director. Remember, these people have no corporate voice and must depend upon the support of the director (through recommendations) and upon the board for action on those recommendations.

In Section XIII, the topic of hiring and supervising a director will be addressed. This is by far one of the board's most significant and far-reaching functions and must be included in any job description.

SECTION IV
Conflict of Interest

*NDCC 44-04-22. **Conflict of Interest Law.** A person acting in a legislative or quasi-legislative or judicial or quasi-judicial capacity for a political subdivision of the state who has a direct and substantial personal or pecuniary interest in a matter before that board, council, commission, or other body, must disclose the fact to the body of which that person is a member, and may not participate in or vote on that particular matter without the consent of a majority of the rest of the body.*

*NDCC 40-13-05. **Officers not to be interested in contracts of work of municipality - Exception.** Except as otherwise provided by law, no municipal officer, in a municipality having a population of ten thousand or more according to the last federal decennial census, shall be directly or indirectly interested in:*

- 1. Any contract, work, or business of the municipality.*
- 2. The sale of any article the expense, price, or consideration of which is paid from the municipal treasury or by any assessment levied by any act or ordinance.*
- 3. The purchase of any real estate or other property belonging to the municipality or which shall be sold for taxes or assessments or by virtue of any process issued in any suit brought by the municipality.*

Provided, however, that the foregoing shall not be applicable if unanimously approved by the other members of the governing body of the political subdivision by a finding unanimously adopted by such other members and entered in the official minutes of the governing body, to be necessary for the reason that the services or property obtained are not otherwise available at equal cost.

*NDCC 40-13-05.1. **Municipal officers - Contracts - Disclosure required - Penalty.** A municipal officer may not refuse or fail to disclose to the governing board of which that person is a member any personal interest, direct or indirect, in any contract requiring the expenditure of municipal funds. Any person who violates this section is guilty of an infraction and is, in addition, subject to removal from office.*

It appears clear that these statutes apply to local public library boards of directors. This would be an appropriate point in this booklet to encourage board members and library directors to explore the laws that apply to the governing body that appointed the board. It is highly likely that these laws also apply to library boards since they are creatures of city and county commissions.

A conflict of interest occurs when an individual(s) in a decision-making role is faced with deciding something in which that individual has a personal interest. For purposes of this presentation, it's a situation where a board member takes official action upon a proposal in which that member or someone in the immediate family has substantial monetary interest in the outcome of a decision. One of the most common examples is when a board member has a relative who is seeking employment with the organization in question (library) and the board member normally has a vote in the process.

NDCC 44-04-22.

Conflict of Interest Law.

A person acting in a legislative or quasi-legislative or judicial or quasi-judicial capacity for a political subdivision of the state who has a direct and substantial personal or pecuniary interest in a matter before that board, council, commission, or other body, must disclose the fact to the body of which that person is a member, and may not participate in or vote on that particular matter without the consent of a majority of the rest of the body.

There are times when various concessions are available from a board and one of the board members is affiliated with a potential provider. The board member's vote could determine to whom the contract is awarded. Although conflicts do not arise on a frequent basis, these kinds of situations are not unheard of – especially in a state with sparsely populated communities, like North Dakota. It is often impossible to completely avoid conditions where one or more board members have both a personal interest AND a vote in the matter.

While voting is regarded as a responsibility of all library board members, when there is a conflict of interest, an exception exists.

It is best if the person with the potential conflict brings it to the attention of the rest of the board. As a matter of fact, 44-04-22 seems to require that this be done.

If, however, such action is not forthcoming from the board member(s) involved, it is perfectly permissible for any board member who is aware of the potential conflict to inform the board.

The procedure for handling this kind of matter should be included in the board's bylaws. A suggested procedure would be for the board to discuss the situation and then determine whether or not they feel a conflict does in fact exist.

If in the board's judgment there is a conflict, the remaining members need to take no action. They only need to act if they feel the board member(s) involved should be permitted to debate and vote. When a conflict exists, the person(s) with that conflict seems to be automatically excused from the debate and vote unless the remainder of the board authorizes such participation.

In the long-range planning process which will aid in the development of policy and bylaws, matters such as conflicts of interest must be included so that questions of procedure are answered before they become problems.



SECTION V

Governance or Management – Whose Turf is it Anyway?

In all operations that have boards of directors and managers (library directors) hired by these boards, there exists an abiding question, “Who does what, with which, and to whom?” It is important that library boards understand what their responsibilities are and what the responsibilities are of the directors they employ to manage the operation.



Catchy phrases can sometimes illustrate points more effectively than wordy discourse.

- A. A board should keep its arms around the entire operation and its fingers out of it.
- B. The board provides the broad general outline for action, and the director works out the details.
- C. The board decides what will be done, and the director decides how it will be done.

It's really not much more complicated than that.

Yet, there is no more divisive phenomenon than the ongoing question about who is responsible for what in a library setting. The term “micro-managing” is often used to describe the board's involvement in activity which properly belongs in the portfolio of the library director.

It's a two-way street. Not all library directors allow the board to do its thing. Boards are the public's representatives and have obligations back to their constituencies and to the governing bodies that appointed them in the first place. Some directors are alleged to have a board simply approve whatever is the will of that director. Consequently, we have the term, “rubber stamping.”

To master this concept of who should do what may take time.

- A. Boards are appointed to govern.
- B. Library directors are employed to manage.

SECTION VI

Long-Range Planning



No organization can progress without a well-thought-out written plan. Where do you want your library to be next year? Five years from now? A decade into the future? It is perfectly appropriate - and necessary - to sit down, brainstorm, and develop a plan.

Long-range planning involves an effort to project into the future so that a system of proposed actions can be put into place to bring the library to wherever that future is likely to take it. Another part of long-range planning is to design ways in which the board and staff can collaborate to formulate goals and objectives.

A first step might be to schedule some time when the board can meet with the director and anyone else who is interested in the future of the local library. This will necessarily be an open meeting, but that's just fine. If someone other than the board and staff wants to attend, they will witness their library board working to do a better job and we certainly aren't ashamed of that.

At this meeting, it might be helpful to have a facilitator who has some experience in this sort of activity and who can help steer the proceedings toward the desired end. Next, the participants can offer suggestions on:

- A. What the library is doing that should be continued.
- B. What isn't being done that should be done.
- C. What is being done that should be stopped.

The responses should be recorded and reviewed. From the information gathered through this process, the board and staff can start piecing together the goals that will accomplish what has been corporately agreed upon. Again, this process will be expedited if a trained facilitator is guiding the activity.

From this kind of information (drawn from the continue-start-stop-activity), a board may develop a mission statement or revise an existing one. Then, the board can state goals that will address the mission, objectives to serve the goals, and action steps to achieve the objectives.

It is here, in the planning session(s) where policy can be reviewed and revised. Even bylaws can be brought into this process. All of these items should be reviewed periodically. Long-range planning does not mean only the development of something new – it also embodies the revisiting of existing statements, reaffirming their validity, possibly deleting or modifying them.

A small space has been devoted here to long-range planning. This should not be interpreted as minimizing the importance of this process. Long-range planning is one of the most significant activities that any library board can apply to the library it serves.

SECTION VII

Developing Board Policies

Policy, as used for library board purposes, will be defined as a series of general statements that prescribe how recurring activities and functions of the library will be handled. Policy guides the daily operation of the library and the decision making of the library director and staff. Anyone can propose change to existing policy or new policy but, **ONLY THE BOARD CAN MAKE POLICY.**

(**List of policies in Appendix II**)

Personnel matters provide an excellent example of where policy can be developed and applied. There are many items that can (and should) be covered by a personnel policy booklet. Your city or county commission may already have policies in effect.

One example of a possible personnel policy is: *DRUG-FREE WORKPLACE: The Richardson County Library intends to maintain a drug-free workplace. The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in any building belonging to the Richardson County Library or on the grounds of any such building or on any property or in any vehicle belonging to the Richardson County Library or any organization-related activity.*

Another example is: *SEXUAL HARASSMENT: Sexual harassment or any other type of harassment in the workplace is illegal. It is the Richardson County Library's continuing policy to provide employees a workplace free from any form of sexual or other harassment. Harassment in any form or manner will not be tolerated by the organization and is expressly prohibited.*

These two examples deal with real issues. They are very explicit and leave little room for interpretation. What they prescribe is right and proper, but they serve an additional purpose. The staff will have clear direction for making related decisions.

If a situation arises in a library setting such as a drug violation or a sexual harassment case, one of the first things that will be asked is, "*What is your policy on this kind of matter?*"

So policies are not only intended to provide guidance for action, they also provide SOME protection to the employer because to an extent, the employer has let it be known that certain behaviors are not acceptable. It is emphasized however, that simply having policies on such eventualities is certainly no guarantee that an employer is protected and immune from repercussions of such behaviors.

If a library has written policies, it is imperative that these policies be followed. If existing policies are not satisfactory, the board has the power to change them, and then follow them. Courts and judges have little sympathy for any governing board that gets itself into a jam for not following its own policy – because after all, they could have changed it if they didn't want to comply with it.

Throughout this handbook, it has been stressed that for certain activities, outside help might be appropriate. Policy development and revision might be one of these areas. It is important that sound policy be adopted in the beginning and that it be reviewed periodically and revised where and when necessary.

In addition to personnel policies, libraries must have policies that cover a number of things. An example of this would be the *Collection Development Policy*. An example of a Collection Development Policy can be found on the State Library Website at www.library.nd.gov. It does, however, contain material for a number of individual policies. This illustrates how thick the eventual policy booklet for any local public library might become.

There are four tests that should be applied to policies to assure their legality:

1. Policies must comply with current statutes and case law.
2. Policies must be reasonable and penalties connected thereto must also be reasonable.
3. Policies must be clear (not vague or ambiguous).
4. Policies must be applied without discrimination.



SECTION VIII

Organizing for Board Efficiency

All North Dakota public libraries seem to experience a shortage of people and resources. There apparently is far more board work than there are workers. Everybody on the board is spread thinly and usually has assignments that exceed allotted time.

Since this is such a common occurrence, boards and directors will have to explore ways to apportion the board tasks that need accomplishing to assure that a clear trail of responsibility for completion exists.

Some boards prefer to operate using committees. This opens the potential labor base to nearly anyone in the community. A committee has no decision-making authority. It simply meets, develops a recommendation, and offers that suggestion to the board. **Only the board has decision-making power.**

Therefore, since a committee is advisory only, it can consist of lay people, volunteers, and people with special interests and talents who are not officially connected with the library, etc.

Other boards rely upon the portfolio approach. Each board member has a portfolio(s) of certain assignments. That board member works with individuals and committees to formulate proposed direction and then the board corporately decides what will be done.

Volume II gives additional information on organizing the board for action and Section V of that handbook offers significant advice regarding committee utilization.



SECTION IX

Effective Board Meetings

One of the most important functions of a library board is the actual board meeting. No board exists unless it is sitting in a duly called session. Board members can only act as a board and not as individuals.

All decisions must be made at this board meeting. Many constituents get their perception of the library's effectiveness based upon what happens (or fails to happen) at the board meeting.

Something this important, therefore, needs to get adequate attention. As stated earlier in this publication, each topic is deserving of thorough examination and more complete exposition. For this particular subject (effective meetings) there has been prepared a comprehensive handbook.

Obtain, read, and understand *Handbook for North Dakota Public Library Board Members, Volume II – Conduct of the Board Meeting*. It is distributed as part of the trilogy supplied by the North Dakota State Library.



SECTION X

Open Records/Open Meetings

Open records and open meetings are additional major ingredients in the function of library boards. Much difficulty can be avoided if things are done correctly in the first place.

Because of the importance of this topic, a separate treatment is contained as Section VII of *Volume II*. This section is to be read, understood, and most importantly, practiced. To repeat an admonition included with that section: **DON'T TRY TO GET AROUND THE LAW. FOLLOW THE PROCEDURES TO THE LETTER. GET HELP IF YOU HAVE ANY DOUBTS.**

SECTION XI

Evaluating the Library Board of Directors

Self-evaluation is a very helpful tool. Most boards are made up of busy people, and to find time for board self-evaluation is not easy. So far in this handbook, it has been suggested that boards spend time developing job descriptions for themselves, create a system of bylaws, do long-range planning, develop and review policy, learn about effective board meetings, know about and practice open records and meetings procedures, and now, you're being asked to take (make) time to evaluate your own performance. (By the way, in the sections that follow, board members will be asked to do even more!)

A good reason for the board doing its own evaluation as opposed to having outside intervention is that the board best knows what it did and why it did it. Often someone on the outside views only the final decision without knowing all the research, soul searching, and discussion that went into that decision and without having all the information that was presented during the pre-decision activity.

Back in Section III, job descriptions were discussed and recommended for board members. If board members do in fact have job descriptions which have been created based upon what they should be doing, then it's perfectly decent to take time periodically to see how things are going measured by the prescriptions of these job descriptions.

Here is an expectation. How well is that expectation being met? What is being done right? What needs improvement? What are some of the specific things that can be done toward improvement? What time parameters should be placed on the improvement schedule? These questions are valid for board members as well as for any person in a position of responsibility.

The entire process of evaluation is something that is designed for growth and improvement. Boards usually feel it is appropriate for the director and staff to be evaluated periodically, so why not show leadership and be a part of the program? If everyone else sees those governing the operation engaged in an evaluation for growth process, they'll certainly feel more comfortable about participating themselves.

One more demand upon the board members' time and energy? Yes, but it will help important decision-makers do the job they were appointed to do. The investment will pay great dividends.



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SECTION XII

Liability Issues

Rarely is a library board brought to court in North Dakota. But it's not impossible. Readers are referred to *Handbook for North Dakota Public Library Board Members, Volume III, Library Boards as Employers*. In this handbook, numerous points are identified where a board could find itself faced with litigation. It is emphasized that lawsuits resulting from employment issues comprise the fastest growing classification during the past decade.

A second source of potential litigation is in the area of sexual harassment. Section IV of *Volume III* is devoted entirely to this highly sensitive matter.

Throughout this trilogy, the point is stressed that the best defense in any legal matter is having done it right in the first place. Certainly, anyone can file a lawsuit, but the chances of that person prevailing are greatly minimized if the board and the staff have done what should be done in the way it should be done. That may sound oversimplified, but it'll fly.

Another point of emphasis is that no person or written procedure can guarantee that you will prevail in a court procedure, even if you have done everything according to recommended steps.

The Wisconsin Department of Public Instruction has published a work titled: *Trustee Essentials: A Handbook for Wisconsin Public Library Trustees* and it contains a wealth of valuable information. They have listed seven things a board member can do to help prevent liability action:

1. Become knowledgeable about the various laws that apply to library board actions and library operations (such as the state's open meetings and public records laws).
2. Adopt written policies for operating the library and review all library policies on a regular cycle, ensuring that all policies (including the personnel policies) are reviewed at least every three years.
3. Exercise care and diligence in board consideration of new or revised policies. Review each policy in light of the "four tests of a legally defensible policy" (these are presented in Section VII of this handbook).
4. Vote against any board action that you believe to be illegal or improper.
5. Vote to table an issue if you believe insufficient information has been provided on which to base an informed opinion. Make sure the minutes reflect your vote.
6. Avoid even the appearance of conflict of interest.
7. Consult with library system staff and an attorney if you have concerns about the legality of any action or failure to take action.

Most city and county units have legal liability insurance through the North Dakota Insurance Reserve Fund. To be certain this protection is in place, check with the governing body that has appointed you.

SECTION XIII

Hiring a Library Director

This may be the place where you have the most effect on the current and future operation of the library. The director is regarded as the leader of all library things in your community – and that’s how it should be. This person will be your professional advisor and guide in all matters pertaining to the library. If this director has that kind of power and influence, then it becomes incredibly important that the right choice be made.

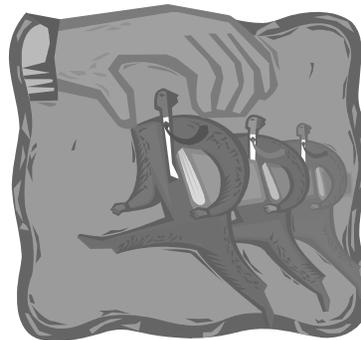
When a vacancy occurs, it is recommended that a carefully constructed search be undertaken. Certainly boards have the corporate wisdom to conduct such a search, but like many other things, there are facilitators who are qualified to come in and lead the way to developing and executing the search.

Some of the steps that should be taken include:

1. Describe the ideal candidate.
2. Develop an application form that will help surface the qualities you are seeking.
3. Describe the library community in the application materials.
4. Have a tentative job description to share with candidates.
5. Indicate key dates for steps in the process (when applications are due, dates of interviews, time when new director is expected to begin, etc).
6. Desired qualifications.
7. Educational qualifications.

In *Volume III*, Section I is devoted to hiring. The processes and steps presented there are appropriate when employing a new director.

At the risk of repetition, this is one of the board’s most important decisions. Don’t be bashful about seeking help to do the job properly.



SECTION XIV

Library Director Qualifications

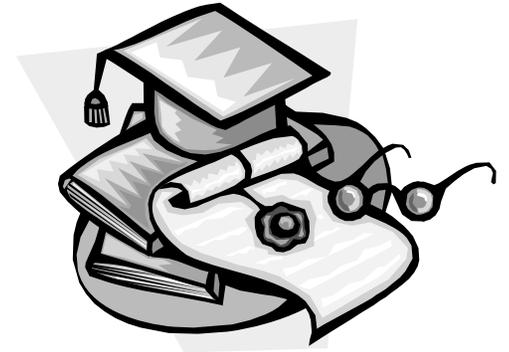
North Dakota does not address library director certification through law. But the significance of this position within the public library structure needs to have some treatment. The board has the specific responsibility to employ, supervise, and adequately compensate a competent library director. What sort of person should be considered?

In the material covering the hiring process, it is emphasized that each board should create a model of what the ideal library director for the employing library should look like. Then, that ideal person should be sought. Perhaps every desired qualification will not be satisfied, but at least the board will know what it is they are after.

Because of the importance of this job, it is not unreasonable to expect a graduate degree in library science for medium and large libraries and an undergraduate degree with a minor in library science for smaller libraries. The successful candidate should have a personal interest in continuing education. The library function is changing rapidly and new processes and techniques are constantly arising. Graduate degrees should come from institutions accredited by the American Library Association (ALA).

A competent director should bring documented experience to show training and skills in:

1. Public library administration and management
2. Selection of material.
3. Organization of material.
4. Reference and information services.



A successful director must communicate effectively with the employing board, the staff, the patrons (constituency), and other professionals in the field. Another major expectation is the willingness and ability to evaluate the staff with growth being the goal of the system of evaluation. Any leader, including the library director, is most effective when leading by example, a trait that should be present in the ideal candidate.

The sections that address the hiring process present points that are certainly applicable to any discussion about the desired qualities in a library director.

The best time to give these things serious thought is before the person is hired. A good solid search process can prevent much grief later. When a director is employed, there is a good chance this person is going to be around for many, many years. There seems to be little turnover in this position in North Dakota.

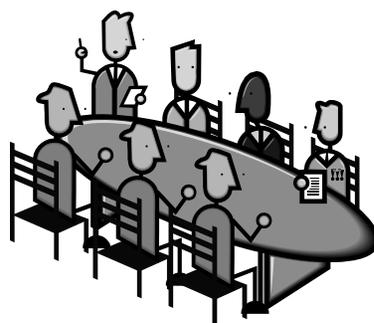
Although there appears to be a shortage of trained, experienced, and skilled library director candidates for North Dakota vacancies, boards should not lower expectations. Finding the right person for the position of director may be difficult, but it's not impossible.

SECTION XV

Evaluating the Library Director

There are four primary points to consider when evaluating the library director:

1. What are the reasons for evaluating the director?
2. Who should do the evaluating?
3. What will be the bases and criteria for the review?
4. What methods and questions will be considered?



What are the reasons for evaluating the director? Evaluating the director is a sensitive process and some boards tend to shy away from it. No matter how tough the task, it must be done. The board owes it to the appointing governmental body and to the constituency to provide the best possible leadership for the local library. Directors can profit from evaluation and will probably improve as a result of a valid evaluation program.

Who should do the evaluating? It is the board as a whole that is ultimately responsible for the process. However, a common practice is to have a special committee or a standing personnel committee do the job. A board usually has a multitude of talents represented in its membership, and it is not uncommon to have a person(s) with evaluating skills and experience do the evaluation of the director.

What will be the bases and criteria for the review? As stated earlier, a valid review will be based upon the director's performance as it relates to the written job description. The evaluation can also have as an ingredient, the objectives for the preceding year that were jointly written and agreed upon by the director and the board. Then, there's an obvious factor to be considered: What has been the success of the library in carrying out service programs as well as the director's contribution to that success?

What methods and questions will be considered? A good place to start is to have the director fill out a self-evaluation instrument. The board (or designated representative) will also fill out a similar instrument. Then, getting together to compare responses should get the process off to a productive start. It is felt that not making the director's self-evaluation a part of the official evaluation is appropriate. Any evaluation instruments should be based upon the job description and what the board has told the director is expected. Once again, the process is going back to the description and to documentation. See Section I of *Volume III* for additional thoughts on this matter.

SECTION XVI

Developing the Library Budget

The library budget has been described as the tool for turning library dreams into reality. The budget is the driving force that will determine the services that will be offered by the library and the resources that will be devoted to each library program. A carefully crafted budget will ensure that whatever funds are available will be used effectively to realize the library's service objectives.



Steps in the budget creating process include:

1. Determine what the library wants to accomplish for the coming year. A target should be in place.
2. Determine the total financial resources necessary to accomplish what the library is targeting.
3. Preliminary documents are then prepared by the director for presentation to the board or its delegated representative(s).
4. Have the entire board discuss and act upon the proposal.
5. Secure the funding necessary to get the job done.

Different libraries may utilize different funding sources and methods. Most funding will come from public sources. Libraries do on occasion, receive money through gifts, donations, and grants. (See Section XXII of this handbook.) These are an excellent source for supplementary funds to execute special projects. However, it is not a fiscally sound process to depend upon such sources for operating expenses.

When the budget is complete, it should have four characteristics that make it a valid effort. It should reflect:



1. *Clarity* – Everyone connected with the budget should be able to understand the budget.
2. *Accuracy* – Documentation must support the validity of budget figures.
3. *Consistency* – Budget presentations should retain the same format from period to period.
4. *Comprehensiveness* – Budget reports should include as complete a picture of financial activities as possible.

There are many technical terms used throughout the budgeting process. Hopefully, the corporate experience of the board and the library director will allow for understanding the terminology. This section on budgeting could be one hundred pages in length, and still not be complete. Additional help in the preparation of the budget may be sought from officials in the cities and counties which support our state's local public libraries.

SECTION XVII

Managing the Library's Money

The library board is usually the key actor in the management of all aspects of library financial management from budgeting, to spending, to reports of accountability. Selected duties may be outsourced to other entities. Usually your library community will be much more likely to support the things you do and the things you want to do if they are comfortable with the ways in which library funds are handled.

There are specific actions that a board should take to monitor library finances:

1. Careful development and approval of the budget.
2. Review and approval of all library expenditures.
3. Review and monitoring of periodic (monthly) financial statements.
4. Development of policies for the handling of gifts and donations.
5. Accurate financial reporting.
6. Careful attention to financial audits.

A recommended procedure for financial management is:

1. The board approves the annual budget and any changes thereto.
2. The library director is delegated authority to make purchases within the budget and according to board-approved purchasing policies.
3. The library director is responsible for preparing vouchers for all expenditures, a monthly list of all library expenditures, and a monthly financial statement.
4. At the monthly board meeting, the library board audits and approves payment of the expenditures, and reviews and approves the financial statement.
5. The designated party(s) will sign the vouchers and forward them to the city or county auditor where they are paid.
6. Expenditures approved by the board for payment are appropriately paid. It is recommended that board policies or bylaws require two signatures for any payment or withdrawal out of any library-held account.

The library board should generate an annual report. This report should be a compilation of the monthly reports and should be available for examination by any person wishing to do so. It would be a positive public relations move to publish the report in a newspaper of community-wide circulation.

A key to obtaining and keeping public support is to run an efficient fiscal operation. Boards and library directors should be proud of how they manage the public's money and should never miss an opportunity to let everyone know exactly what is going on.



SECTION XVIII

Building Accessibility

Accessibility



In the past few decades this country has taken giant strides to make all public facilities accessible to anyone who might want to use them, including citizens with handicapping conditions. One of the most far-reaching factors in this movement is the Americans with Disabilities Act (ADA). Between the director and the board, the library has a responsibility to be aware of library accessibility and to take a leadership role to be certain there is equitable access to the library services for all the people in the community.

ADA came into existence in 1990. It is essentially a civil rights law designed to ensure that persons with disabilities are not discriminated against because they have a disability. Two major impacts on public libraries are that employment opportunities cannot be contingent on having or not having a disability, and the building itself must be accessible to all citizens.

Areas not meeting accessibility standards must be identified and plans of correction adopted including a timetable for correcting deficiencies. The law requires “reasonable” modifications to the building. Changes can remain undone if the modification would be too costly. This is only permissible until any future remodeling occurs, then changes must be made to meet ADA requirements.

There are regulations for outside the building and regulations for inside the building. These regulations apply to all public buildings and must be understood and implemented. There are some ADA regulations that apply specifically to libraries. They include all those previously mentioned plus accessibility in:

1. Reading and study areas.
2. Checkout areas.
3. Library catalogs.
4. Magazine and reference areas.
5. Book stacks.



SECTION XIX

Library Goals and Objectives

The smallest library in North Dakota can not only provide its patrons with the basic library products and services, it can also offer access to an almost unlimited quantity of both electronic and traditional information.

How is this possible? There have been spectacular advances recently in information technology and in distribution techniques throughout the state. In keeping with the mission of most local public libraries (providing the community with its educational, recreational, and informational needs), the guiding standard must be: *Every citizen in North Dakota is entitled to free access to knowledge, information, and diversity of ideas at a basic level.*

This means the staff must be able to retrieve and distribute the traditional library products AND they must have the skills and facilities needed to disseminate information through modern technical systems.

Goals and objectives are the yardsticks by which the library's success in the assigned endeavors is measured. A standard is similar to a goal. In one of the resources explored, standards are called "service targets." They are essentially expressions of minimums. Libraries determine what services should be offered, the quality of these services that should exist, and then state these "goals" in written form.

There is not a prescribed number of standards. Each library (probably in the long-range planning phase) will generate its own list of goals and objectives. Some examples of subjects that could be covered include hours that the library is open, the size of the collection, expenditures for the collection, staffing levels, delivery capability, etc.

Once a list of standards is adopted by a library board, those goals and objectives can be evaluated by using four levels of effort: basic, moderate, enhanced, and excellent (suggested in Wisconsin's *Trustee Essentials*).

A valuable use of these standards and the results revealed by them is in planning. After a library has effectively measured the degree of success as related to its standards, there will be some notion of what is working and what needs improvement.

There is no legal requirement in North Dakota that standards for libraries be in place. It's a good idea to have this kind of measurement in operation. Boards are involved by reviewing standards and deciding how they will be incorporated into the planning program.



SECTION XX
Reconsideration Policy

At times, the library will face the issue of having a person or group that objects to an item that is part of the library's collection. A library should offer a "reconsideration of items" service and have a Reconsideration Policy. If you think of this process as a "reconsideration service" rather than "censorship," it makes the process less confrontational and sensational. A library's collection should reflect the values of the community, and the items in the collection should meet the policies set forth in your Collection Development Policy. An item should be evaluated on the principles stated in the Collection Development Policy when it is selected for purchase AND when a person(s) asks for the item to be "reconsidered."

It is the recommendation of the State Library that the following procedures be followed in the exact order listed whenever asked to reconsider an item.

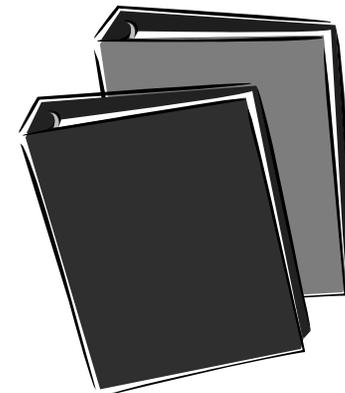
REQUEST FOR INFORMAL REVIEW: An informal discussion will take place between the requester and the librarian. At this time, the requester will be introduced to the selection policy of the library as well as the American Library Association philosophy of freedom to read. If the problem cannot be solved through informal discussion, the requester shall be invited to file a request for formal review.

REQUEST FOR FORMAL REVIEW: To file a formal review request, the requester shall proceed in the following manner:

1. Obtain a reconsideration form from the librarian. (See Appendix I, page 34.)
2. Complete the form in its entirety and sign it.

As soon as the request has been filed, the library shall take the following steps:

1. The item shall remain part of the collection until a decision has been made.
2. The President of the Public Library Board shall be notified by the librarian that a request has been filed.
3. The Chairperson of the North Dakota Library Association's Intellectual Freedom Committee shall be notified by the librarian that a request has been filed.
4. The request for reconsideration will be reviewed by a committee consisting of the Collection Development Committee and the librarian.



State Library Website:
www.library.nd.gov

5. This committee will consider the objections in terms of the library's collection policy, the principles of the Library Bill of Rights, and the opinions of the various reviewing sources used in materials selection. The review process will be as objective as possible. A majority vote is required. If the reconsidered item does not meet the selection policy of the library, the library shall acknowledge that the material is indeed unsuitable and it will be withdrawn from the collection. If, on the other hand, the material does meet the selection criteria and is deemed suitable for the collection, the item shall remain part of the collection.
6. The librarian will respond to the request clearly and precisely, stating the reasons the material was withdrawn or retained. This response will also inform the requester how to pursue the matter further.

APPEAL: If the requester feels that the problem has been dealt with inadequately, a final appeal to the Public Library Board can be made. A public hearing will be conducted with the Board acting as the decision-making body.

The American Library Association Intellectual Freedom Office will be notified by the librarian and their advise will be enlisted.

HEARING: The following procedures will be followed if a hearing is scheduled:

1. An open meeting will be held.
2. The meeting will be conducted by the librarian.
3. The Public Library Board will act as the decision-making body. A quorum must be present.
4. News coverage will be arranged by the librarian.
5. The location, beginning, and ending times of the meeting will be publicized in advance of the meeting.
6. The purpose of the meeting will be to consider all sides of the issue.
7. Persons wishing to speak must register prior to speaking, giving their name, address, and organization represented.
8. Each speaker will be given four minutes in which to present his/her point of view. A timekeeper will be appointed prior to the meeting.
9. Public Library Board members will be given time to ask questions following each testimony.
10. Each speaker should present a written copy of his/her testimony to each member of the Public Library Board.
11. After everyone has spoken, persons wishing a second turn will be heard for a period of two minutes each.

12. Should the meeting last longer than the pre-announced time, another meeting or meetings will be scheduled for a later date. As many meetings as needed – of reasonable length of time – will be scheduled to hear all testimonies.
13. The Public Library Board will review all testimonies heard. They will vote at a later date after they have had time to weigh and consider the testimonies. The Public Library Board will issue its opinion within forty-five (45) working days after the date of the hearing.
14. The Public Library Board will make their decision public and the library will take action in accordance with that decision.



For the information of anyone using this publication, the American Library Association Council’s *Freedom to Read Statement* and the *Library Bill of Rights* are included below.

SECTION XXI *Freedom to Read*

This section is a reprint of the American Library Association’s Freedom to Read Statement.

The freedom to read is essential to our democracy. It is continuously under attack. Private groups and public authorities in various parts of the country are working to remove or limit access to reading materials, to censor content in schools, to label “controversial” views, to distribute lists of “objectionable” books or authors, and to purge libraries. These actions apparently arise from a view that our national tradition of free expression is no longer valid; that censorship and suppression are needed to counter threats to safety or national security, as well as to avoid the subversion of politics and the corruption of morals. We as individuals devoted to reading and as librarians and publishers responsible for disseminating ideas, wish to assert the public interest in the preservation of the freedom to read.

Most attempts at suppression rest on a denial of the fundamental premise of democracy that the ordinary individual, by exercising critical judgment, will accept the good and reject the bad. We trust Americans to recognize propaganda and misinformation, and to make their own decisions about what they read and believe. We do not believe they are prepared to sacrifice their heritage of a free press in order to be “protected” against what others think may be bad for them. We believe they still favor free enterprise in ideas and expression.

These efforts at suppression are related to a larger pattern of pressures being brought against education, the press, art and images, films, broadcast media, and the Internet. The problem is not only one of actual censorship. The shadow of fear cast by these leads, we suspect, to an even larger voluntary curtailment of expression by those who seek to avoid controversy or unwelcome scrutiny by government officials.

Such pressure toward conformity is perhaps natural to a time of accelerated change. And yet suppression is never more dangerous than in such a time of social tension. Freedom has given the United States the elasticity to endure strain. Freedom keeps open the path of novel and creative solutions, and enables change to come by choice. Every silencing of a heresy, every enforcement of an orthodoxy, diminishes the toughness and resilience of our society and leaves it less able to deal with controversy and difference.

Now as always in our history, reading is among our greatest freedoms. The freedom to read and write is almost the only means for making generally available ideas or manners of expression that can initially command only a small audience. The written word is the natural medium for the new idea and the untried voice from which come the original contributions to social growth. It is essential to the extended discussion that serious thought requires, and to the accumulation of knowledge and ideas into organized collections.

We believe that free communication is essential to the preservation of a free society and a creative culture. We believe that these pressures toward conformity present the danger of limiting the range and variety of inquiry and expression on which our democracy and culture depend. We believe that every American community must jealously guard the freedom to publish and to circulate, in order to preserve its own freedom to read. We believe that publishers and librarians have a profound responsibility to give validity to that freedom to read by making it possible for the readers to choose freely from a variety of offerings. The freedom to read is guaranteed by the Constitution. Those with faith in free people will stand firm on these constitutional guarantees of essential rights and will exercise the responsibilities that accompany these rights.

We therefore affirm these propositions:

1. *It is in the public interest for publishers and librarians to make available the widest diversity of views and expressions, including those ideas that are unorthodox or unpopular with the majority.*

Creative thought is by definition new, and what is new is different. The bearer of every new thought is a rebel until that idea is refined and tested. Totalitarian systems attempt to maintain themselves in power by ruthless suppression of any concept that challenges the established orthodoxy. The power of a democratic system to adapt to change is vastly strengthened by the freedom of its citizens to choose widely from among conflicting opinions offered freely to them. To stifle every nonconformist idea at birth would mark the end of the democratic process. Furthermore, only through the constant activity of weighing and selecting can the democratic mind attain the strength demanded by times like these. We need to know not only what we believe but why we believe it.

2. *Publishers, librarians, and booksellers do not need to endorse every idea or presentation they make available. It would conflict with the public interest for them to establish their own political, moral, or aesthetic views as a standard for determining what should be published or circulated.*

Publishers and librarians serve the educational process by helping to make available knowledge and ideas required for the growth of the mind and the increase of learning. They do not foster education by imposing as mentors the patterns of their own thought. The people should have the freedom to read and consider a broader range of ideas than those that may be held by any single librarian or publisher or government or church. It is wrong that what one can read should be confined to what another thinks proper.

3. *It is contrary to the public interest for publishers and librarians to bar access to writings on the basis of the personal history or political affiliations of the author.*

No art or literature can flourish if it is to be measured by the political views or private lives of its creators. No society of free people can flourish that draws up lists of writers to whom it will not listen, whatever they may have to say.

- 4. There is no place in our society for efforts to coerce the taste of others, to confine adults to the reading matter deemed suitable for adolescents, or to inhibit the efforts of writers to achieve artistic expression.*

To some, much of modern expression is shocking. But is not much of life itself shocking? We cut off literature at the source if we prevent writers from dealing with the stuff of life. Parents and teachers have a responsibility to prepare the young to meet the diversity of experiences in life to which they will be exposed, as they have a responsibility to help them learn to think critically for themselves. These are affirmative responsibilities, not to be discharged simply by preventing them from reading works for which they are not yet prepared. In these matters values differ, and values cannot be legislated; nor can machinery be devised that will suit the demands of one group without limiting the freedom of others.

- 5. It is not in the public interest to force a reader to accept with any expression the prejudgment of a label characterizing it or its author as subversive or dangerous.*

The idea of labeling presupposes the existence of individuals or groups with wisdom to determine by authority what is good or bad for others. It presupposes that individuals must be directed in making up their minds about the ideas they examine. But Americans do not need others to do their thinking for them.

- 6. It is the responsibility of publishers and librarians as guardians of the people's freedom to read, to contest encroachments upon that freedom by individuals or groups seeking to impose their own standards and tastes upon the community at large; and by the government whenever it seeks to reduce or deny public access to public information.*

It is inevitable in the give and take of the democratic process that the political, the moral, or the aesthetic concepts of an individual or group will occasionally collide with those of another individual or group. In a free society individuals are free to determine for themselves what they wish to read; and each group is free to determine for themselves what they wish to read; and each group is free to determine what it will recommend to its freely associated members. But no group has the right to take the law into its own hands, and to impose its own concept of politics or morality upon other members of a democratic society. Freedom is no freedom if it is accorded only to the accepted and the inoffensive. Further, democratic societies are more safe, free, and creative when the free flow of public information is not restricted by governmental prerogative or self-censorship.

- 7. It is the responsibility of the publishers and librarians to give full meaning to the freedom to read by providing books that enrich the quality and diversity of thought and expression. By the exercise of this affirmative responsibility, they can demonstrate that the answer to a "bad" book is a good one, the answer to a "bad" idea is a good one.*

The freedom to read is of little consequence when the reader cannot obtain matter fit for that reader's purpose. What is needed is not only the absence of restraint, but the positive provision of opportunity for the people to read the best that has been thought and said. Books are the major channel by which the intellectual inheritance is handed down, and the principle means of its testing and growth. The defense of the freedom to read requires of all publishers and librarians the utmost of their faculties, and deserves of all Americans the fullest of their support.

We state these propositions neither lightly nor as easy generalizations. We here stake out a lofty claim for the value of the written word. We do so because we believe that it is possessed of enormous variety and usefulness, worthy of cherishing and keeping free. We realize that the application of these propositions may mean the dissemination of ideas and manners of expression that are repugnant to many persons. We do not state these propositions in the comfortable belief that what people read is unimportant. We believe rather that what people read is deeply important; that ideas can be dangerous; but that the suppression of ideas is fatal to a democratic society. Freedom itself is a dangerous way of life, but it is ours.

This statement was originally issued in May of 1953 by the Westchester Conference of the American Library Association and the American Book Publishers Council, which in 1970 consolidated with the American Educational Publishers Institute to become the Association of American Publishers Institute to become the Association of American Publishers.

Adopted June 25, 1953, revised January 28, 1972; January 16, 1991; July 12, 2000; June 30, 2004, by ALA Council and the AAP Freedom to Read Committee.

American Library Association Council's *Library Bill of Rights*

The American Library Association affirms that all libraries are forums for information and ideas, and that the following basic policies should guide their services:

- I. Books and other library services should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation.
- II. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.
- III. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.
- IV. Libraries should cooperate with all persons and groups concerned with resisting abridgement of free expression and free access to ideas.
- V. A person's right to use the library should not be denied or abridged because of origin, age, background, or views.
- VI. Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.

Adopted by American Library Association Council 23 January, 1980



SECTION XXII

Friends and Foundations

Friends of the Library organizations are voluntary groups of citizens who join together to support, improve, and promote the library. Some are formally incorporated, not-for-profit organizations; others remain completely informal with limited bylaws. (Information about establishing a “Friends” group and ideas for activities and projects is available at www.folusa.com.)

Friends groups can be extremely helpful in a number of ways. They often offer financial support for special programs or services, advocate for the library budget or capital projects, or provide volunteer assistance with programming and other activities. The Friends strengthen and enhance the efforts of the library staff and board.

While the library board (government appointed) and the Friends should share a common vision, they have separate and distinct roles. Below are a few suggestions that may help create an effective working relationship:

- Friends recognize that they do not perform a decision-making (policy) role for the library.
- The library board values and encourages input and opinions from the Friends.
- The library board appoints a liaison to the Friends (often the library director or other staff member).
- The Friends decide how to spend their funds only after conferring with the library director, board, and/or library liaison.
- The library board provides the Friends with a “wish list” of items not included in the budget, to aid the Friends in their fund-raising efforts.
- The Friends’ activities support library board long-range plans and policies.
- The library board expresses appreciation to the Friends for their support and service.
- The library board invites and welcomes Friends to the library board meetings, especially when discussing issues of mutual interest.

Library Foundations

Some North Dakota communities have established independent library foundations as vehicles for soliciting larger donations to support their local libraries. Library foundations are nonprofit organizations established according to the IRS 501(c) (3) filing requirements and relevant state regulations. Establishing a foundation normally requires the assistance of a lawyer and/or accountant.

Because a library foundation, like a Friends group, is an autonomous organization, it is important that local operating bylaws recognize the public authority and responsibility of the government-appointed library board. Many of the same suggestions discussed above for working with Friends groups also apply to developing a positive working relationship with a library foundation.

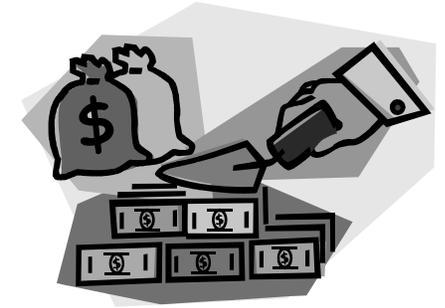
The primary distinction between a Friends group and a library foundation is that a foundation will typically have a major or long-term purpose such as developing an endowment or raising funds for library renovation or a new building.

Like a Friends group, a foundation may be governed by a board that meets periodically according to its adopted bylaws. Depending on size, a foundation board may hire staff assistance to support and coordinate its fund-raising efforts. In contrast, Friends groups tend to operate informally and raise money for more immediate projects and needs. Friends typically support the library through volunteer efforts such as public programming and used book sales.



Financial Support from Friends and Library Foundations

It is important that all library donations be used to enhance or enrich library services. The availability of foundation or Friends' funding should never be used to reduce or replace community commitment to public funding. These funds should be viewed as “extra” to provide enhancements in services. Donors will quit contributing and volunteers will stop working if they see their efforts are resulting in reduced public funding for the library instead of improved services.



Often, Friends and/or foundation groups will underwrite a pilot project for a year or two until the value of the new service is proven in the community and publicly supported.

In many communities, the library donates withdrawn books to the local Friends organization for sale to the public. This practice falls within the authority of the library board; however, because public property is involved, special care should be taken. Prudent stewardship would dictate that the library board enter into a written agreement with the Friends that makes it clear that all proceeds from the sale of books and/or materials must be used to support the programs and services of the library.

Donations to the Library

Under North Dakota law, the library board may accept and manage donations on behalf of the library. Donations to a legally established North Dakota public library, like donations to any government organization, meet the IRS definition of a “charitable contribution” to a “qualified organization.” No application to the IRS is needed to get this status.

Sources of Additional Information

The Friends of Libraries U.S.A. (FOLUSA) Website at www.folusa.com has information about establishing a Friends organization and ideas for activities and projects.

The Foundation Center has information on establishing a non-profit organization at <http://foundationcenter.org/>.

SECTION XXIII

Joint Powers Agreements

Local libraries, like many other governmental and service units are constantly exploring ways to join with other groups to the advantage of all parties concerned. A relatively recent development in North Dakota has been the emergence of joint powers agreements. These are procedures that have been authorized by the North Dakota State Legislature.

When such an agreement is successfully executed, the resulting entity has all the power of each component of the agreement.

It appears, however, that library boards are NOT included in the definition of agencies that can enter a joint powers agreement. It seems from various laws regulating this process that cities, counties, townships, park districts, school districts, and other political subdivisions are eligible. Library boards are not specifically mentioned nor are they alluded to.

If a library board wishes to explore the joint powers option, it is suggested that the board work through the governing body which created the library board. City commissions and county commissions are certainly empowered to go the joint powers route.

Additional help and guidance can be obtained from the Consensus Council located in Bismarck at 1003 East Interstate Ave., Suite 7, Bismarck, ND 58503, Phone: (701) 224-0588, Website: www.agree.org.



SECTION XXIV

Summary

There is a tendency to say each item covered herein is “the most important.” Perhaps it would be more accurate to say that none of the topics are unimportant.

In reviewing the preceding content, it is apparent there is much cross-referencing within this publication and within all three volumes contained in this trilogy. It is, therefore, recommended that each handbook be read carefully to best understand and utilize the information.

To be an effective local public library board member takes a lot of work and a lot of reading. There is a wealth of helpful information available. But it must be read and understood to be of value to boards and to board members. This handbook and the other two in the current series are good places to start.

Go back and reread the section on freedom to read. It describes the importance of libraries and the cultural mandates that must be nurtured. Their survival and prospering is vital to America and to the fundamental roots of the nation.

This handbook and its two counterparts go into detail on some subjects. They do not, however, completely address the huge volume of material that an operating library needs in this day and age. Hopefully, the future will see continued guidance develop through more detailed handbooks on all subjects that library boards and their directors need to master to keep libraries alive and moving forward.

Our work in the library field is noble, vital, and helps greatly to make democracy work.



APPENDIX I: REQUEST FOR RECONSIDERATION OF MATERIAL

(Example)

Author _____

Title _____

Publisher _____

Call number _____

Copyright Date _____

Name of Requester _____

Name of Organization Represented

Address _____
(street or post office)

(city, state, and zip code)

Telephone number _____

1. What brought this title to your attention?
2. Why do you want the item reconsidered?
3. Please comment on the resource as a whole, as well as being specific on those matters which concern you. (Use other side if needed.)
4. What are the opinions of recognized critics and/or reviewers? (Include copies if possible.)
5. Give recommendations of other books or materials, which could be used to replace this item.
6. Have you read this material in its entirety?
 yes no

Listed below are the recommended policies that libraries should have. It is important these policies be reviewed annually and accepted by the library board.

APPENDIX II: POLICIES

- I. Collection Development Policy Including a Book Weeding Policy
- II. Emergency Preparedness Policies and Procedures
 - A. Fire
 - B. Tornado
 - C. Bomb Threat
 - D. Salvage
 - E. Medical Emergency
 - F. Security
 - G. Winter Storm
 - H. Patron Behavior
- III. Personnel Policies Including Volunteers
 - A. Job Descriptions
 - B. Evaluations
 - C. Drug-Free Workplace
 - D. Sexual Harassment
- IV. Reconsideration Policy
- V. Search Warrant Policy
- VI. Computer & Internet Usage Policy
- VII. Circulation Policies
 - A. Overdues
 - B. Length of Check-Out



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North Dakota State Library, a division of the
ND Department of Public Instruction
Dr. Wayne G. Sanstead, State Superintendent

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