



2021 EDITION

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# TRUSTEE'S HANDBOOK



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# Iowa Library Trustee's Handbook

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**2021 Edition**

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## Welcome To Iowa Library Board Service!

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### Dear Library Trustee:

Congratulations on your appointment as a trustee of your public library! As you embark on this important role, I would like to express my appreciation for your willingness to serve your community and provide exceptional public library service to your residents. Public libraries are the heart and soul of every community; library boards ensure that they remain strong, vibrant, and relevant to all users.



Library trustees freely contribute their time and energy because they believe in the importance of strong public libraries in their communities. As trustees, you have the responsibility to ensure that Iowa's public libraries remain well funded, well managed, and well used. Your time, generosity, and dedication are vital to our success here at the state level.

The public library is open and welcoming to all. Your library has a role in educational support, family literacy, economic development, and as a community anchor. These roles cannot be overstated. With your commitment to advocating for library resources and to supporting the library administration and staff as representatives of your community, Iowa libraries will continue to be strong and successful across the state.

On behalf of my colleagues at the State Library of Iowa, I extend my gratitude for your leadership and service. We hope that this Handbook will be a helpful reference during your tenure on the board. Please contact us if we can assist you in any way. Again... congratulations on your appointment!

Sincerely,

A handwritten signature in black ink that reads "Michael Scott". The signature is written in a cursive, slightly slanted style.

**Michael Scott**

State Librarian of Iowa

## Preface

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The State Library of Iowa is a division of the Iowa Department of Education. Like public libraries, the State Library is governed by a board of trustees called the Iowa Commission of Libraries. The Commission has policy and budget authority as well as the authority to hire and evaluate the State Librarian. The State Library's two divisions are the Library Support Network, to improve library services in Iowa; and Specialized Library Services, to deliver specialized information services to state government and to Iowans.

The purpose of the Iowa Library Trustee's Handbook is to give trustees a basic understanding of their responsibilities and authority. It contains useful, practical information about the board's relationship with the library director and staff, developing policy, funding sources, library laws, and many other topics.

Library boards will continue to be exposed to exciting possibilities and confronted by daunting challenges. How trustees respond will determine the future of library services to the people of Iowa.

This Handbook can be used in a variety of ways. Each chapter has its own focus and can be used individually as a reference for specific questions or as a guide to further resources on a topic. Specific chapters may be referenced for continuing education at board meetings or to explain the role of a trustee to a prospective new member or to someone newly appointed. Your local funding agencies may also appreciate an overview of certain topics. Don't forget the Appendix! There are several templates and forms that you can make your own at the end of the Handbook.

Currently, Iowa has two libraries that are not governed by an administrative board of trustees but instead by an advisory board; in these two instances, the city government has decision-making authority. Consequently, some of the information in this manual will not pertain to these two libraries.

**Please note that this Handbook was prepared as an educational resource and should not be used as a substitute for legal advice.**



# Chapter 1: First Things First

## Get to Know Your Library and Its Impact in Your Community

“Public library” means different things to different people. For many, the purpose of a public library is to help children develop a love of reading. For others, it means a place that provides computers and Internet access for people who don’t have them at home. The public library may also be seen as an anchor for downtown businesses, a community gathering place, a source for books and movies for recreation, or an institution vital to democracy because it provides access to information from all points of view.

As a member of the library board, you help set the direction for public library service in your community. You will come to appreciate that a city library is a very important city service. Whatever role your library plays in your community, chances are it is one of the most heavily used city services. Historically, statewide, about 66% of Iowans have library cards.

Today’s libraries offer books and so much more. Services like public computers and Internet access (including WiFi), meeting rooms, programming for all ages, book discussion groups, and genealogy resources. Libraries also offer online resources such as digital collections of eBooks, audiobooks, magazines, and research materials, all accessible from home, work, or school.

So first things first: get to know your public library and all it has to offer. Drop in to browse and read, attend a book discussion group, attend a library-sponsored program, or simply check out a book.

## Review Your City’s Library Ordinance

**Iowa Code 392.5** states that a public library is established by an ordinance adopted by the city council. It is the local law under which the library exists and is part of the city code. Libraries established after Iowa’s Home Rule Act (1972 Acts chapter 1088) may have an ordinance similar to the sample ordinance provided herein or it may be substantially different.

Each trustee should have a copy of the library ordinance; ask your director for a copy if needed. A sample ordinance is included in the **Appendix**. Most questions about library governance are answered in the city-library ordinance. It includes information such as:

- ❖ Board appointments and length of terms
- ❖ Powers and duties of the library board
- ❖ Procedure for approving and paying bills
- ❖ Reports required from the library to the city council

### **Changing the Library's Ordinance**

*"A proposal to alter the composition, manner of selection or charge of a library board, or to replace it with an alternative form of administrative agency, is subject to the approval of the voters of the city." (Iowa Code 392.5)*

For sound reasons, changing the library ordinance is not simple. Most other city ordinances are changed through a vote of the city council. However, substantial changes to the library ordinance—such as changing the number of board members, how board members are appointed, or their powers and duties—require a public vote at a general election.

A frequently asked question about the library ordinance is "Our ordinance states that all seven members of the board shall be residents of the city. We would like one of the board members to be a rural resident. How do we proceed?" Such a change to the library ordinance must be submitted to the voters in a city election. The library board may request that the proposed changes be placed on the ballot. If a majority of the voters approve, the city changes the library ordinance in accord with the proposal.

**Iowa Code 392.5** protects library boards and the powers of library trustees against direct city control over libraries. This protection insulates library governance from political influence and safeguards intellectual freedom. The exception to this is libraries that have advisory boards. Iowa currently has two such advisory boards: Clive and North Liberty; all others are administrative governing boards.

### **Understand the Role of the Board, Director, and City in Library Operations**

Your public library director is the department head of a city service and is responsible for the day-to-day management of the library. The director acts as the professional and technical advisor to the library board on matters of policy, programming, planning, and more.

Some of the ways the roles of the board, the library director, and the city differ are:

- ❖ The library director typically brings forward a draft of policy topics. However, it is the board that actually approves and adopts the policies. Once a policy is

adopted, the director and staff carry it out as they operate the library.

- ❖ The board hires and evaluates the library director, while the director hires and evaluates other staff.
- ❖ The library director typically drafts the yearly budget proposal, but it's the board that officially adopts the budget based on money allocated by the city and county.
- ❖ The city appoints and approves members of the library board, allocates taxation to the library's budget, and handles the bill paying process.

### **Recruit New Trustees**

A good partnership between the library board and city government is to work collaboratively on filling board vacancies. In Iowa, mayors appoint library board members, followed by council approval. The mayor's office is happy to take suggestions, and that's where the current board can be a partner in these ways:

- ❖ Develop a list of potential board members to fill vacancies ensuring the list reflects:
  - Gender balance
  - A variety of ages
  - A variety of occupations and knowledge bases
  - Participation in community groups and organizations
  - Includes library users and non-users
- ❖ Be proactive in looking ahead to expiring terms and providing the mayor with the list well in advance.
- ❖ Create a brochure for prospective trustees summarizing library board member responsibilities including education expectations and make available as needed.
- ❖ Develop a library board application and make it available in paper and posted on the library and city websites.

While board members are not compensated for their time, they should be reimbursed for any expenses. Prospective library trustees need to understand that while this is a voluntary position, there is significant responsibility and a time commitment required that is more than other volunteer activities.

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***“Alone we can do so little, together we can do so much.”***



## Chapter 2: A Culture of Learning

Among the many standards that lead to quality library service, arguably the most important ones are those that foster consistent staff and board education. As you gain experience on the board, you will continue to learn about library philosophy, service statistics, trends, policies, and much more. By supporting ongoing training needed for staff and by participating in their own trustee training, library boards can take the lead in creating a culture of learning.

There are two significant education-related **Public Library Standards** required at a minimum level:

- ❖ **Standard #20 [Tier 1]:** *The library has a permanent, paid director who is Certified (Editor's note: changing soon to Endorsed) at a required level. New directors have two years after starting as director to become Certified (Editor's note: changing soon to Endorsed).*
- ❖ **Standard #8 [Tier 1]:** *All members of the library board of trustees participate in a variety of board development training each year. The recommended average is five hours per year per trustee.*

For newly hired directors, Standard #20 requires directors to enroll in the State Library **Endorsement Academy** through the **IA Learns** system. For board members, standard #8 allows for a variety of ways to accomplish trustee training, including but not limited to:

- ❖ Attending live webinars and discussing as a group
- ❖ Watching recorded programs/webinars and discussing as a group
- ❖ Demonstrations of tech tools and products at regularly scheduled board meetings
- ❖ Educational presentations at regularly scheduled board meetings (i.e.

presentations by the director or staff, by local community experts, or by State Library staff)

One method of tracking board training outside of classes taken via **IA Learns** is to make note in the board meeting minutes from month to month. In addition, individual trustees can have an account in **IA Learns** which will provide transcripts of all classes sponsored by the State Library.

Added to the above, there are other education standards that boards should support. For example, **Standard #23 [Tier 1]**: *The library allows the director to participate in continuing education opportunities during their work time* and **Standard #28 [non-tiered]**: *The library allows staff at all levels (other than director) to participate in continuing education opportunities during their work time*. Boards need to be mindful that, when staff education is a job expectation, then it follows that authorizing staff to attend classes, conferences, webinars, etc must be allowed to take place on library time.

In addition to participating in ongoing education for themselves, boards also create a culture of learning in other significant ways that involve policy, planning, and budgeting decisions. For example, boards are well-advised to:

- ❖ Encourage all staff members, as well as individual trustees, to set up an account in the State Library **IA Learns** system.
- ❖ Include line items in the budget for staff and board education expenses.
- ❖ Address education expense reimbursement as a matter of policy, including reimbursing for class registration or conference fees, mileage, meals, lodging, even professional memberships if the budget allows.
- ❖ Include goals for staff and board education in the library's strategic plan.
- ❖ Communicate the "education expectation" in staff hiring practices and in trustee recruitment practices and in orientation.

There are many education providers that offer high-quality staff and trustee training, among them WebJuntion, ALA, PLA, Infopeople, and countless more. But we like to think of the State Library in the number one spot! We encourage you to set up an account for yourselves in the **IA Learns** system. Doing so enables you to browse the catalog and register for classes. Yet another way to create a culture of learning!

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***“Leadership & learning are  
indispensable to each other...”***

John F. Kennedy



## Chapter 3: The Five Primary Responsibilities of Boards

Even though the board delegates the day-to-day management to the director, the board never gives up its responsibility to ensure that the library succeeds and prospers. In exercising that responsibility, Iowa’s public library boards have five primary roles:

### I. Hiring the Library Director

The board hires a qualified person to manage the daily operations of the library, working with and in support of the director while mutually respecting each other’s roles. (See **Chapter 3: Hiring the Library Director.**)

### II. Approving and Monitoring the Budget

Library boards typically have a great deal of authority over the library budget, including approving expenditures, and moving funds between line items. (See **Chapter 4: Approving and Monitoring the Budget.**)

### III. Developing and Adopting Policies

Library boards must be mindful that they adopt public policy for a public service. They should take care to avoid writing policies that are reactionary or punitive. Instead, policy development should keep community interests at the forefront. Once adopted by the board, library staff work to carry out the policies and communicate them to patrons. (See **Chapter 5: Developing and Adopting Policies.**)

### IV. Planning for the Library’s Future

Planning is another important function of the board and should be approached as a continuous process. Planning leads boards to explore possibilities and opportunities,

basing decisions on community input and packaging service in response to community needs. (See **Chapter 6: Planning for the Library's Future.**)

## **V. Evaluating Service and Advocating for Advancements**

The community puts its faith in the library board to make sure the library is operating within the public trust. The board helps determine whether the community is satisfied with library programming and services. One of the most effective ways to gauge satisfaction with library service is by evaluating the library director's job performance. Note that trustees can also evaluate their own performance! In exercising this evaluation and advocacy role, boards are pushing for adequate funding, seeking technology advancements, fostering community relationships, and supporting the library staff in terms of salaries, benefits, and working conditions. (See **Chapter 7: Evaluating Service and Advocating for Advancements.**)

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***“You can do what I cannot do. I can do what you cannot do. Together we can do great things.”***

Mother Teresa



## Chapter 4: Hiring a Library Director

Your job as a library board member is to make sure the library is well managed. To do that, the board hires a qualified director to manage the day-to-day operations of the library. Before hiring a library director, the entire board should have a good grasp of the work that public library directors do. Your library director is the department head of a city service who has many responsibilities.

### What Do Public Library Directors Do?

- ❖ Act as a professional and technical advisor to the library board of trustees on policy, finances, planning, library performance, laws affecting libraries
- ❖ Hire and supervise staff
- ❖ Implement and interpret board policy to staff and the public
- ❖ Administer the library budget
- ❖ Develop the collection (“collection” is everything the library has on hand for its customers: books, DVDs, CDs, magazines, newspapers, subscriptions to electronic resources, puppets and more)
- ❖ Manage library services and programming
- ❖ Supervise outreach services to the community
- ❖ Manage and maintain the physical facility, computer technology, the library’s automation system, and other equipment
- ❖ Represent the library in the community by promoting its services and programs
- ❖ Instruct users how to access, evaluate, and use information resources

As you can see by the list of responsibilities, hiring a library director is one of the most important duties of the library board.

In small cities with few or no other library staff, the library director serves customers directly and may also:

- ❖ Provide preschool story time to build early literacy skills in young children
- ❖ Help students find resources to complete school assignments
- ❖ Help readers find a good book
- ❖ Answer reference questions from patrons
- ❖ And yes... check out books!

To ensure that the most qualified candidate is hired, it is critical that the library board follow standard hiring procedures as outlined on the following pages.

### **Conduct a Preliminary Assessment**

The board must reach consensus on what they want a new director to accomplish and what qualifications are needed in a director for the library at this point in time. In order to do this, the board needs to discuss the following questions:

- ❖ What is the role of the library in the community?
- ❖ Have community needs changed? Has the library kept pace?
- ❖ What direction does the library need to go?
- ❖ What qualifications are needed in the next director?
- ❖ What is the reason for the job opening?
- ❖ Was the previous director dissatisfied? Why?
- ❖ Was the board dissatisfied with the previous director? Why?

### **Develop a Timeline**

A timeline should be established to include the following tasks:

- ❖ Appointing the search committee (should be less than a quorum).
- ❖ Reviewing the current job description and updating if necessary.
- ❖ Writing the job advertisement and sending it through various communication channels (library website, city website, local / area newspapers, State Library Job List posting, etc).
- ❖ Determining the deadline for applications.

- ❖ Reviewing the applications and deciding on persons to interview.
- ❖ Determining interview schedule and questions.
- ❖ Determining the time needed for the board to make a decision and offer the job to the candidate.
- ❖ Determining the timeframe for the candidate to respond.

### Set up the Search Committee

The board as a whole can function as the search committee. An alternative is to form a committee of board members and staff to review the applications and recommend candidates for the board to interview. If the board decides to appoint a subcommittee, the subcommittee must meet in open sessions as long as it is doing deliberative work. If a search committee is appointed, be sure the duties of the committee and the deadlines are clear.

Applications for public positions are confidential documents under **Iowa Code 22.7(18)**, so protect applicants' identities by referring to them as "Candidate A, Candidate B," etc. during this stage of the process in open meetings. Deciding whether or not a subcommittee meeting has to be an open meeting is complicated and often turns on the specific facts of a particular meeting, refer to the **Iowa Public Information Board** (515-725-1781) with questions.

### Review and Update the Job Description

The job description should indicate the minimum requirements for education and work experience. The job description should also include any desirable areas of expertise and technology competencies (online learning experience, website experience, social media use, etc.). All minimum requirements and desirable qualifications must be job related and should be delineated as required vs. preferred. The board should not hire a person with less than the minimum requirements.

Obtain a copy of the current job description from the current library director, the acting director, or the city. (If no written job description exists, the board will need to write one before continuing with the hiring process.) Review it to ensure that it meets current requirements including:

- ❖ Minimum requirement for education and previous work experience
- ❖ Primary management duties
- ❖ Desirable areas of expertise including technology skills
- ❖ Salary and benefits

- ❖ Probationary period
- ❖ Physical and environmental requirements of the job

### **Determine Salary and Benefits**

The first step in achieving pay commensurate with the work performed, referred to as “pay equity,” is to understand the job duties and responsibilities. It may help to re-read the list at the beginning of this chapter titled “What Do Public Library Directors Do?”

In small towns, the library director’s position might be comparable to the city clerk. In larger cities, the library director’s job will compare more favorably with another city department head. Another valid job comparison to make is to compare the education requirements and job responsibilities of the library director with that of school district personnel or county government workers.

Too often the work of library directors and staff is not well understood, too often undervalued and unfairly compensated for the complex level of management expectations. In other words, many library directors (and staff) receive lower pay than other city employees who do comparable work, who also supervise staff, and who also have considerable management duties and education requirements.

A caution: library boards and directors often ask about salaries of directors in nearby towns of similar size. While that can be useful information, it should not be the sole basis for making decisions on library director and staff salaries. The reason is that low pay is a common fact among library employees. So comparing to other libraries’ salary scales often results in comparing to equally low salaries that don’t adequately compensate for the work performed.

### **Advertise the Position**

The job description should be used to write the job advertisement; in turn, the advertisement should be as comprehensive as possible. Provide a fair summary of the position, the required education, experience, and skills needed, and the desirable areas of expertise and work experience. Include the salary range and benefits, a brief description of the library and community, where to send applications, and application deadline. Request a resume and professional references.

Integral to providing equal employment opportunities is a practice of openly advertising all available positions. Many city governments have policies regarding how city employment must be advertised so that all applicable laws are being followed. The city might also require consistent employment applications for city jobs. If your city has a human resources department, check there first before placing ads, or check with city hall.

While there is no state statute or regulation that explicitly mandates such advertising, the

“veterans’ preference” law in **Iowa Code 35C.1** requires cities to post a public notice of the application deadline to fill a public job at least ten days prior to that deadline. The spirit of the “veterans’ preference” law ensures that everyone has an equal opportunity to work for the government; that the best candidates have been sought for all public positions; that only the most qualified people work at all levels of government; and that when applicant qualifications are equal in every other way, veterans are the preferred candidates.

The job advertisement should be publicized widely. If the library board is considering hiring a director with a master’s degree in Library Science, then notify library schools or purchase an online ad through the American Library Association. If you decide to place print ads in professional journals such as *American Libraries* and *Library Journal*, check publication deadlines and see how those deadlines fit within your timeline. In addition to advertising in local newspapers, you are welcome to send your notice to the **State Library Job List** to be posted at no cost.

### **Review the Applications**

Many times, the city will receive the applications to ensure all requirements are complete, then send the applications to the library board. If your city has an HR department, use them to ensure all laws are followed. As applications arrive, each should be marked with the date of arrival to determine whether it falls within your timeline. Before applications are reviewed, evaluation criteria should be developed and used to rank them. It is helpful to develop a form that can be used by each member of the search committee; the form ensures a consistent screening and an easy way to compare each applicant’s qualifications to the requirements of the position.

The board must discuss applications in open session when determining which candidates will be contacted for an interview. Once the board has chosen which applicants will be interviewed, each of those candidates should be notified that they are a finalist and that the list of finalists may (or will, depending upon the particular city’s practice) become public. Some candidates may opt to drop out if they feel that their present jobs or working relationships would be compromised or endangered once their applications for different jobs become public. If a candidate agrees to be interviewed, again confirm whether a closed interview is required by law.

### **Interview Process**

Interviews should be conducted in “stand alone” sessions—not regular board meetings—in which the interviews are the only business before the board. If an interview is conducted during a closed session in accordance with **Iowa Code 21.5**, be sure the board follows the laws in subsections 2, 3, 4 and 5, especially those pertaining to recording and documenting the closed session.

Prior to the interviews, the search committee should provide all candidates an

information packet that could include but is not limited to: the library mission statement; planning document; recent budgets; community demographics; employers, shopping, schools, churches, recreation, higher education, and any other information that will inform candidates about the library and community.

Develop a list of questions to be asked of every candidate interviewed. And be sure to apply the questions consistently, even if the interview team is familiar with the candidates. Typical questions to cover in the interviews are questions about the candidate's prior management experience, their library service philosophy, their staff supervision experience, their technology competencies, etc. Check with your city to see if there are any required questions for city employment. **NOTE:** It is illegal to ask certain questions of candidates, such as marital status, age, family plans, etc. For more about interviewing see [\*\*Iowa Workforce Development's Successful Interviewing Guide\*\*](#).

As part of the interview, arrange a tour of the library, a meeting with staff, and an opportunity for the candidate to learn about the community.

### **Evaluate the Candidates**

During the interview process, it's helpful to use your page of interview questions to record candidate responses and search committee impressions. Once all of the finalists have been interviewed, the search committee can then compare their notes, discussing and ranking the finalists. Some qualifications to consider in ranking candidates are:

- ❖ Library service attitude and philosophy; enthusiasm for librarianship
- ❖ Knowledge of foundational library principles such as intellectual freedom, patron privacy, etc.
- ❖ Knowledge of current library trends and literature
- ❖ Direct yet thorough responses to questions
- ❖ Evidence that the applicant has done some research for the position
- ❖ Ability to explain how their experience and talent can be used as library director
- ❖ Understanding the role of trustees; successful record of working with boards and community leaders
- ❖ Successful record of staff supervision
- ❖ Comfort level with technology, automation systems, online learning, social media, etc.
- ❖ Experience being involved in the community and comfort level with public relations
- ❖ Commitment to continuing education for self; support of continuing education for

staff and board

Check references before offering the position to a candidate. When calling references, agreed-upon questions should be asked with space on the questionnaire to record responses. The search committee may want to seek out references other than those provided by the applicants. Be aware: some employers will only verify such things as dates of employment and last salary earned.

### **Make the Hiring Decision**

Finally, decide if one or more of the candidates should be offered the job or if the search needs to be reopened. The top candidate should be offered the position by telephone. When a candidate accepts the position, follow up with a letter of agreement indicating date employment begins, salary, benefits, etc. The board may want to consider a formal employment contract. Soon after the job offer has been accepted, notify the other candidates.

For further information and to follow all applicable hiring laws, refer to the **Library Law FAQ** on the State Library website.



## Chapter 5: Approving and Monitoring the Budget

### Budgetary Powers of Library Boards

Library boards typically have a great deal of authority over the library budget. Most city-library ordinances authorize control of the library budget to the board of trustees including the authority to approve expenditures and to move funds between line items. Always refer to your own city-library ordinance to reference the board's level of authority in the budgeting process. (See **Sample City-Library Ordinance** in the **Appendix**.)

It is essential for library trustees to come to understand:

- ❖ Their budgetary powers
- ❖ The annual budget development and approval process
- ❖ Funding sources
- ❖ The level of funding needed for library operations

The library director is a partner with the library board on financial matters and is responsible for communicating operational needs and drafting a proposed budget to the board.

### City and County Funding

Both city and county support of public libraries is mandated by **Iowa Code 256.69**, which states: *"...Each city within its corporate boundaries and each county within the unincorporated area of the county shall levy a tax of at least six and three-fourths cents per thousand dollars of assessed value on the taxable property...for the purpose of providing financial support to the public library which provides library services within the respective jurisdictions."*

In other words, a tax of at least \$.0675 per \$1,000 assessed property valuation must be

levied by each county and city to provide financial support to the public library which provides them with library service. The tax of at least \$0.0675 per \$1,000 of assessed property required by the Code is an outdated and inadequate minimum. No public library in Iowa could keep its doors open if it were funded at this level. Most cities fund their libraries far above the minimum required by the Code.

In Iowa, there is a cap on the amount a city may levy for the General Fund of \$8.10 per \$1,000 of assessed property valuation. Approximately 85% of Iowa cities are at this limit and therefore, additional revenue comes only from increased valuation of property or from special levies such as the special library levy described later in this chapter.

Public libraries are also funded from the county's rural services fund which includes road clearing, weed eradication and sanitary disposal. The maximum levy for rural services is \$3.95 per \$1,000 of assessed value in the unincorporated areas.

Your library may also receive funding from nearby cities that do not have their own municipal library. To meet the requirements of **Iowa Code 256.69**, such cities are required to contract with an established library to obtain service for their residents.

Public libraries are a department of city government. In the majority of Iowa libraries, the primary source of funding is tax dollars. Therefore, boards must be accountable for the receipt and spending of funding in accordance with the Code of Iowa. Refer to the following Code chapters related to budget and finance for city governments:

**Iowa Code 384.3 GENERAL FUND:**

*All moneys received for city government purposes from taxes and other sources must be credited to the general fund of the city, except that moneys received for the purposes of the debt service fund, the trust and agency funds, the capital improvements reserve fund, the emergency fund and other funds established by state law must be deposited as otherwise required or authorized by state law. All monies received by a city from the federal government must be reported to the department of management who shall transmit a copy to the legislative services agency.*

**Iowa Code 384.20 SEPARATE ACCOUNTS:**

- 1. A city shall keep separate accounts corresponding to the programs and items in its adopted or amended budget...*
- 2. A city shall keep accounts which show an accurate and detailed statement of all public funds collected, received, or expended for any city purpose, by any city officer, employee, or other person, and which show the receipt, use, and disposition of all city property. Public monies may not be expended or encumbered except under an annual or continuing appropriation.*

## Budget Management and Oversight

Overseeing the library's budget is one of the most difficult items you will have to monitor and evaluate, but it doesn't have to be an overwhelming task. Begin your monitoring with careful attention to the budget, which is the annual financial plan for the library. The budget will be prepared by the director and staff and presented to the board for approval. When the budget is presented, ask whatever questions you find necessary to gain a reasonable understanding of this financial plan—basically, where the money is coming from and how it will be spent.

New board members should receive a thorough orientation about library finances. **Ask questions if the budget, financial reports, or audit reports are not clear to you.**

Throughout the budget process, boards and directors must have these three things well in hand. They must have the money to spend, have the authority to spend it, and be accountable for the spending.

Boards and directors need to anticipate how much money they expect to receive from all revenue sources. Even gift money and memorials have to be estimated and budgeted before the money can be spent. This all has to happen within the framework of the city's budget process. Revenue from all sources should be reflected in the library's budget documents before the board proceeds with spending.

The budget process serves three basic purposes:

- ❖ **Accountability:** As a stewardship role, trustees have a fiduciary responsibility to use public funds wisely and in compliance with applicable laws, regulations, contracts, etc. This includes spending the funds needed to provide library services to the community, planning for future needs such as equipment replacement but not hoarding funds or “saving for a rainy day.”
- ❖ **Decision-making:** Trustees need accurate, timely, and reliable information to make effective decisions.
- ❖ **Openness:** The public has a right to be informed about the financial conditions and operations of the library.

## Budget Calendar

In Iowa, the fiscal year begins on July 1 and ends on June 30.

**October to November:** Library directors draft the budget proposal and the board discusses, approves, and adopts the budget request before it is sent to city council. Items to consider when setting the budget request include:

- ❖ Reviewing the library's strategic plan
- ❖ Reviewing current spending
- ❖ Projecting anticipated expenditures
- ❖ Deciding library priorities based on the plan
- ❖ Projecting anticipated revenues

Part of the anticipated revenue includes the amount of county funding the library expects to receive from the County Supervisors.

**December to January:** Directors and boards present the budget request to city councils and county supervisors. The city sets the date and time of the budget hearings, as well as the criteria for what the presentation will include. Although library budget requests are subject to many of the same guidelines as other city departments, the city has authority to approve only the bottom line amount. Trustees have line item control and determine staff salaries and other individual parts of the budget.

**January to March:** City councils and county supervisors hold budget work sessions and adopt the final budgets. Hearings for adoption are held and the budget goes to the county auditor in March for certification.

**July 1:** The certified budget takes effect.

### **Budget Process**

Since library funds may not be spent except by motion of the board, the trustees need financial reports (including bills) in advance in order to be prepared to question them and vote on them at board meetings. Invoices and bills approved by the board and signed by the designated board authorities (usually the board president and secretary) are then sent to the city clerk for payment. A copy of the monthly financial report may be included with the invoices for informational purposes.

The Iowa Department of Management, the State Auditor's Office, and the Iowa League of Cities all strongly recommend that the city does the financial accounting, writes checks for the library's expenditures after authorization by the board, and submits monthly financial reports to the board. The State Library of Iowa upholds this position.

### **Monitoring the Budget**

While the board should delegate the power to purchase materials, supplies and other goods to the director, it should be aware of all purchases and monitor the budget monthly throughout the year. Directors should provide trustees with monthly financial reports which review:

- ❖ Current listing of bills being paid
- ❖ Month-to-date/year-to-date spending
- ❖ Budget balance remaining
- ❖ Explanation of major changes

If there are variations you don't understand, ask the library director to explain them. Depending on the information you receive, the board may need to adjust and/or amend the budget. The majority of Iowa library ordinances allow the library board the authority to shift funds from one line item to another as needed. The library may need to request an amendment to the city's certified budget as discussed below.

The library and city finance officer should monitor the library appropriation to ensure sufficient funds are available prior to board approval of library expenditures and to ensure timely amendment to the certified budget, if necessary.

### **Amending the Certified Budget**

The library may spend only the amount budgeted within one fiscal year. If the library receives additional income from any source (grants, donations, etc.) that additional income cannot be spent unless the certified budget is amended to include it. No city department, including the library, should spend more than has been budgeted for its department unless the certified budget is formally amended by the city council.

Most cities routinely amend their certified budgets; library amendments, if any, should be included. Amendments must be approved and published by city officials before May 31 of the current fiscal year, the statutory deadline for city budget amendments.

The city clerk or city budget manager should be consulted to determine the date when the library's amendments must be submitted for inclusion in the city's amendment hearing. A legal form for requesting an amendment will be provided by the city.

### **Permanent Accounts and Special Revenue Funds**

One of the biggest mistakes that library boards can make is to not have plans for unexpected funding. It is not unheard of for Iowa libraries to have funds diverted from the library to the city's General Fund because there were no plans for the funds and no encumbrances or trust accounts established.

**Iowa Code 384.3** states that *"all money received for city governmental purposes from taxes and other sources must be credited to the general fund of the city, except those monies received for the purposes of...trust and agency funds."*

Funds remaining in the library account at the end of the fiscal year will revert to the

general fund unless the city has given authority to the library board to carry over the funds in the library account or unless the funds are designated to a specific account. There are two types of accounts:

- ❖ Permanent accounts, where the library can only spend the interest generated.
- ❖ Special revenue funds, that allow the library to spend the entire amount in the account.

The basis for this change is Government Accounting Standards Board (GASB) Statement #34 from June 1999 that took effect in either 2001 or 2002, depending upon the city's level of revenue.

These account(s) may be established for funds being saved for a particular project. If there is no purpose for the account other than accumulating money, the account(s) may not be allowed. The board, working with the director, should plan for unexpected funds: Is there a need for an addition or new building for the library? Is new shelving needed? Are more computers needed? Does the library intend to automate or purchase a different automation system?

The money in these accounts:

- ❖ Will carry over from year to year until the purpose for which it was established is accomplished.
- ❖ Is not to be used for day-to-day operation of the library unless the trust provides, such as an endowment trust.
- ❖ Will not revert to the city General Fund.
- ❖ Will be expended only by a motion of the library board and only for the purpose specified in the trust, such as the "library building project."

If the library has plans for year-end funds, the board should request that the city council pass a resolution to authorize carryover of the fund balance or establish either of the above accounts. The resolution should indicate, among other things, the title of the account(s), the purpose of the account(s), and whether the interest on the fund is to be added to the account(s). The city council then passes a resolution establishing these account(s) to accumulate funds for a planned purpose or project.

**A word of caution:** Gifts and donations given to a public library must be retained and accounted for by the public library. These gifts and donations become "public funds" upon receipt by the public library and may not be simply turned over or given to another private organization such as a library foundation.

## Investments

There are several local and state restrictions on spending public money and even more restrictions on investing it. According to state law, your city must have a written investment policy in place and a designated finance officer whose responsibility it is to invest public funds according to the investment policy. Library trustees are not the city's designated finance officers, so the board cannot invest any of the library's money, even if the trustees have accepted a generous bequest.

## Petty Cash

Generally speaking, petty cash is established for the payment of relatively small purchases as postage, deliveries, or urgently needed supplies. When payment by check is not always possible or practical, a petty cash fund is established on an imprest basis to handle these small purchases. The Governmental Accounting, Auditing and Financial Reporting (GAAFR) definition of "imprest account" states in part that this is "*an account into which a fixed amount of money is placed for minor disbursements...*"

As a public agency, the library's internal control over the petty cash fund is important and should be conducted openly. The petty cash should be placed in the custody of a specific employee who is authorized to disburse the fund in accordance with stipulated restrictions as to maximum amount and purpose. The following recommendations should be considered regarding petty cash funds:

- ❖ The petty cash fund should be established by Board action. The board should approve a policy to authorize the maximum amount of the petty cash fund, the types of allowable disbursements, the method and frequency of replenishment and the authorized custodian.
- ❖ On a periodic/monthly basis, the petty cash fund should be balanced and replenished by check to the original established amount.
- ❖ All cash received or collected by the library should be recorded as a receipt and deposited in the bank. It is not acceptable to replenish petty cash with miscellaneous library receipts such as fines or copy fees.
- ❖ Petty cash funds should not be used to cash personal checks.
- ❖ Payment receipts should support petty cash payments. For example, these could include postage receipts, cash register receipts or other documentation to explain the petty cash item that was purchased or paid for.

## Gifts and Memorials

Boards and directors need to anticipate how much money they expect to receive from all funding sources. Even gift money and memorials have to be estimated and budgeted before the money can be spent. This all has to happen within the framework of the city's budget process.

## Encumbrances

An encumbrance is a purchase order or contract entered into by the library before the end of the fiscal year for goods and services not yet received. For example, new laptop computers ordered for the library in June, but not delivered until after July 1, would be an encumbered obligation. The funds set aside in the budget for the laptops would carry over to the next fiscal year because the obligation for the order was encumbered (or made) before the end of the fiscal year.

## Audits

According to the Iowa Auditor of State (August 2020): *“Cities under 2,000 population with \$1 million or more in budgeted expenditures in two consecutive years will be required to have an annual examination. Cities with budgeted expenditures of \$1 million or more in a single year will continue to be subject to a periodic examination, not an annual examination. Cities under 2,000 population with less than \$1 million of budgeted expenditures will be subject to a periodic examination to be performed at least once every eight years.”*

As part of the city’s audit, the library may be asked to provide its financial records. In cooperation with its city government, some library boards have requested an audit be done simply as a safeguard of the library’s finances. Also, a city audit may be required if federal funds in excess of \$300,000 have been disbursed or expended during the fiscal year. Be aware that sometimes the financial statements of a Friends Group or a Foundation also become part of the library’s audit process.

## Roles and Responsibilities of the Director, Board, and City

Library Director	Library Board	City Council and Mayor	City Clerk or Administrator
<p>Keeps the library board informed of library activities, needs and concerns.</p> <p>Prepares a draft budget request.</p> <p>Explains monthly library expenditures to the board.</p> <p>Provides library board with monthly financial reports.</p> <p>Informs city council, mayor, city staff about library activities, needs and concerns.</p>	<p>Stays informed about library activities, needs and concerns.</p> <p>Reviews draft budget request including line items.</p> <p>Approves final budget request based on board approved priorities.</p> <p>Supports and advocates for budget request when presented to the city.</p> <p>Approves monthly expenditures; ultimately and legally responsible for how funds are spent.</p> <p>Reviews monthly financial reports; prioritizes needs to match available funding (has authority to shift funds from one line item to another as needed).</p> <p>Informs city council, mayor, city staff about library activities needs and concerns.</p>	<p>Mayor appoints library board members with approval of city council.</p> <p>Appropriates bottom line funding for the library.</p>	<p>Pays expenditures approved by the library board.</p> <p>Provides the library with monthly reports showing paid expenditures and status of budget.</p> <p>Stays informed about library activities, needs and concerns.</p>

### Additional Sources of Funding

In addition to city and county funding (the primary source of funding for the majority of Iowa public libraries), boards should be aware of the following possible additional sources of funding.

#### Special Library Levy

The special library levy (also known as the 27-cent levy) is a potential source of additional funding for public libraries allowed by **Iowa Code 384.12 (2)**. It allows cities to levy an additional tax of up to \$0.27 per \$1,000 assessed property valuation in order to provide better library service. A petition and referendum is required to pass the levy. The levy must be passed by a simple majority in order to be enacted. The levy question is put on the ballot in regular city elections, held in odd numbered years.

## State Funds

Public libraries receive state funding through the **Enrich Iowa Program**, which includes **Direct State Aid, Open Access** and **Interlibrary Loan Reimbursement**. The funding for Enrich Iowa is appropriated by the Iowa Legislature and approved by the Governor before being distributed to participating libraries by the State Library.

- ❖ **Direct State Aid** is distributed to public libraries based on meeting the standards prescribed in the **Public Library Standards**.
- ❖ **Open Access** is a reciprocal borrowing program which enables library customers from a participating library to check out materials, in person, free of charge. Libraries participating in Open Access are subsidized for each item loaned to a nonresident user. Open Access funding supplements, not replaces, local funding.
- ❖ **Interlibrary Loan Reimbursement** is a program intended to provide Iowans equal access to library resources by encouraging and supporting resource sharing among different types of libraries. The program pays a subsidy for each item loaned to eligible Iowa libraries. Interlibrary Loan Reimbursement funding supplements, not replaces, local funding.

## Federal Funds

Through the Grants to States program, the **Institute of Museum and Library Services (IMLS)** provides federal **Library Services and Technology Act (LSTA)** funds to state libraries, including the State Library of Iowa, using a population-based formula. In Iowa, LSTA funds are used primarily to support statewide programs and services such as the annual summer library program, staff and board education, statewide access to online resources, interlibrary loan network through **State of Iowa Libraries Online (SILO)**; the **Iowa Center for the Book**; **Public Library Standards** and more.

## Library-Specific Foundations

A library foundation is established to become a vehicle for gifts, bequests, memorials, fund-raisers, capital campaigns, etc. for that specific library only. Such a library foundation functions as a separate entity and can attain 501(c)(3) status from the Internal Revenue Service. Gifts to this foundation are tax deductible to the donor. One factor which makes setting up a foundation extremely attractive is that many donors, such as corporate foundations, will give only to organizations that have 501(c)(3) status.

Of course, the library board may also accept monetary gifts and bequests without establishing a foundation. In order to earmark the funds and demonstrate compliance with the terms of the gift, the board will need to ask the city to establish a library trust account. See “Trust Accounts” section for additional guidance. Gifts or donations made directly to a public library are also tax deductible. Any income the library receives directly must be reported to the city because of its responsibility to account for all income (and expenditures) as required by **Iowa Code 384.20**.

## Community Foundations

Iowa Community Foundations are tax-exempt charitable organizations created by and for Iowa communities to encourage citizens to give financially to their communities.

Community foundations:

- ❖ Are local organizations with deep roots in the community.
- ❖ Offer personalized service tailored to each individual's charitable and financial interests.
- ❖ Help people invest in the causes they care about.

Grants from the Community Foundation are available to any group within the community and libraries are eligible to apply. Find more information from [Iowa Community Foundations](#) and [Community Foundations](#) on the State Library website.

## Friends of the Library Groups

A **Friends Group** can help raise funds for special library projects. Friends groups are excellent at attracting publicity and encouraging good public relations and good will for a library. A foundation, described above, may act as a Friends Group.

The [United For Libraries](#) website from the American Library Association is a good resource for Friends groups, foundations, and trustees. Some of their material is free; some is behind a paywall requiring paid membership.

## Private Grants

Private foundations, businesses and corporations may award grants to assist local libraries with programs, services or building projects. Many times the grants are from local or regional organizations or businesses that wish to give back to their communities. The [Foundation Directory Online](#) is published yearly and is a source for private grant information.

Find more [Funding Resources](#) on the State Library website.

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***“In my view, investing in public libraries is an investment in the nation’s future...”***

Bill Gates



## Chapter 6: Developing and Adopting Policies

### The Need for Policies

An essential responsibility of Iowa library boards is to develop and adopt public policy. Library boards must be mindful that they are adopting public policies for a public service. They should take care to avoid writing policies that are reactionary or punitive but instead keep community interests at the forefront. Policies are necessary for these reasons:

- ❖ A major area of board responsibility
- ❖ Many **Public Library Standards** have policy implications
- ❖ Legal and ethical issues
- ❖ Demonstrates credible business practice
- ❖ Opportunity for public education
- ❖ Support the library's mission and purpose

A board should “develop” policy and not just “write” policy. Good policy grows out of a process of studying the issues and needs, gathering facts, deliberating the issues, writing the policy and reviewing the policy at least every three years. Once the board adopts policies, the board observes, interprets, evaluates and supports those policies. The board also modifies existing policies and creates new ones as services evolve.

Using the policies that the board approves as the outline, directors and staff write procedures and guidelines which are in-house documents. For example, your library board may develop a policy for lending wireless hotspots. Directors and staff then write procedures for purchasing the equipment, processing and inventorying equipment, and promoting this new service. Consistent interpretation and application of the policy is necessary. The board and management need to support the staff in applying the policy for situations that require flexibility as well as empower staff to make exceptions to the

policy in the interest of good customer service.

## Policy Development Steps

1. **Anticipate the Need:** Often, policies are adopted as a direct result of a problem or even a crisis rather than as a result of careful planning and foresight. A better way to identify the need for a particular policy is to anticipate problems and write policies before the problem occurs. For example, boards are well advised to develop a disaster response policy, instead of waiting until a disaster strikes. Although each board needs to develop its own policies, sometimes it is helpful to review policies from other libraries before getting started. Look to policies from libraries in larger cities, because city attorneys have already vetted them.
2. **Gather the Facts:** Most policies grow out of recommendations from the library director. Your director is in touch with service changes, problems, and issues that require policies. Depending on the nature of the policy, you may want to seek legal counsel.
3. **Evaluate the Proposed Policy:** Is the policy under consideration:
  - Consistent with or covered in policies that have already been written ?
  - Consistent with your mission statement?
  - Consistent with local, state and federal law? Review the policy to determine whether any provisions would be illegal under Iowa or federal law. For example, a library policy of "no animals or pets allowed" must provide an exception for service dogs and other support animals.
  - Already an existing policy in place for other City workers. For example, inclement weather closings, holiday closings, expense reimbursements, benefits, etc.
  - Reasonable (including reasonable penalties)? Let's say a board decides to set the library's hours as 10:00 a.m. to 11:30 a.m. Monday through Friday. According to the State Library Law Librarian: *"Although it would not be illegal to set such hours, a court could find the policy to be unreasonable because, in effect, it denies library access to citizens who work or go to school during the day. The library board should also examine proposed policies to determine if any penalties are unreasonable. For example, it would be reasonable for a "no skateboarding in the library" policy to include a "penalty" that violators would be asked to leave for the rest of the day. It would not be reasonable to penalize the skateboarding patrons by banning them from the library "for the rest of their lives."*
  - Measurable? It is difficult, if not impossible, to enforce a policy fairly if the policy and penalty are not quantifiable. Policies should be written clearly so

that trustees, staff, and patrons alike can read a policy and know what constitutes a "violation" of it. For example, if a library has a policy stating that patrons will lose borrowing privileges if they have "too many overdue books for too long," the definitions of "too many" and "too long" are not clear and may result in unfair application when interpreted by different staff members. On the other hand, a quantifiable policy states that patrons will lose their borrowing privileges if they have "library material which has been overdue for three weeks or longer and if the patron has not returned the material or paid the replacement cost or made arrangements with the library for payment."

- Discriminatory? In order to be legally enforceable, library policies must be applied fairly to all patrons. Courts will invalidate library policies which are not applied equally to all patrons and are used to discriminate against certain groups of people. For example, a "no sleeping" policy might be enforced against homeless patrons but not against other patrons (such as the mayor) who drift off while reading in a comfy chair. Some libraries might have "no noise" policies which they enforce only against tables of giggling adolescents but never against tables of loud-speaking adults.

4. **Write and Adopt the Policy:** The actual wording of the policy is best left to the director and/or a board committee. The actual policy may come to the full board and back to committee for revision several times before it's finished. Final approval of the written policy is a board responsibility.
5. **Establish a Schedule for Policy Review:** Policies will become outdated. Regular review of policies helps keep them current and at the same time keeps board members informed. The recommended way to review policies is to date every policy and its revision. Don't wait to review all policies until time for Accreditation, establish a review process to happen throughout the year.

When reviewing existing policies, ask whether there is still a viable reason to keep a policy in place. Some boards have eliminated long-standing policies which have outlived their original usefulness and have opted instead for a more positive image for the library in the community. These topics can include cell phone use, overdue fines, and restrictions of the number of materials borrowed at one time.

6. **Make Policies Available:** Placing approved policies into a manual makes the process of learning policy simpler for new trustees and also makes for easier retrieval. A manual also makes the review and updating process much easier. A full collection of policies must be accessible to staff as well. It is advisable to post policies that affect the patrons' use of the library on your website.

## Standards and Accreditation

To meet public library standards, boards must adopt four required, written policies in these categories: **Circulation**, **Collection Development**, **Internet Use**, and **Personnel**. The

library board may have additional written policies, as deemed appropriate for the library, and reviews them at least every three years. Assistance in writing policies is available from the State Library **District Consultants**.

More information regarding policy standards is available on the **Public Library Standards** webpage on the State Library website.



## Chapter 7: Planning for the Library's Future

Strategic planning is another major responsibility of library boards. Boards continuously guide and shape library service for their community as they make decisions about money, buildings, programming, technology and staffing levels. The challenge is to make these decisions based on solicited community input, crafted into a written plan. A carefully considered plan is a road map assisting the board and the director in making decisions that are in the best interests of the community. A plan also publicizes the library's priorities and its vision of the future. There are examples of service options to consider in the **Appendix**.

### Strategic Planning is a Required Standard

**Standard #17 [Tier 2]:** *"The library has a written plan...projecting up to 5 years into the future and outlines the library's goals and objectives to meet community needs. Developing a plan involves the staff, the board, and the public."*

To meet this standard, the plan must:

- ❖ Be current at the time of submission
- ❖ Address community needs based on community data
- ❖ Contain a mission statement, which describes the library's purpose in the community
- ❖ Include goals and measurable objectives

While not required, it is still good practice for the board to evaluate the plan annually in order to review progress achieved and discuss future goals.

### Planning Approaches

There are several ways to approach a planning process. As a department of city

government, public libraries often join a broader planning effort conducted by the city, involving all city services. Another approach is to look at current trends in culture, business, and education and how libraries fit into those trends. Boards can opt to study and apply demographic data and census data. They can involve community members in focus group discussions.

There are also comprehensive planning models designed especially for public libraries, such as **Strategic Planning for Results** from the Public Library Association and **Libraries Transform** from the American Library Association.

### **Common Elements of Strategic Plans**

Regardless of the planning method, strategic plans tend to address these common elements:

#### **Demographics & Community Input**

The first step in library planning is looking outward, not inward. What is your community like? What are the demographic, economic, technological, political, social, and cultural factors that may have an impact on library services? What is important to your community now and in the future?

To answer these questions, gather information about the community and involve stakeholders such as the city officials, business leaders, along with cultural, educational, human service, and social organizations. This could involve focus groups, surveys, and studying city demographic data and census data.

#### **Reflective Mission Statement**

Generally defined as an organization's purpose, a mission statement should be an easily understood expression of what the library does for the community. A mission statement should reflect the library's service priorities. For example: "Ida Grove Public Library stimulates imagination, providing a place where children develop a love of reading, where adults access community resources, and where people of all ages gather to become creative, lifelong learners."

#### **Customer-Driven Goals**

The words goals and objectives are often used interchangeably, but they are different. Goals should be written with the focus on community members, indicating the benefit, value, or enjoyment that people will realize as a result of the library providing a specific service or program. For example: "Patrons will receive assistance on using their personal devices (tablets, e-readers, smart phones) either through one-on-one training support or through group sessions."

#### **Measurable Objectives**

Objectives, on the other hand, are defined as "the way the library will measure its progress toward reaching a goal". Every objective contains these three elements:

- ❖ **Target Audience:** a target audience could be any age group – children, teens, senior citizens, or the entire community.
- ❖ **Measurement:** a measure is something to count, i.e. number of programs presented, number of people who attended programs. A measure can also gauge people’s reaction to or satisfaction with a service, discovering the difference that a service or program made in someone’s life.
- ❖ **Date or Time Frame:** an objective needs to predict a date – a month or a season of the year – when the objective will be accomplished. For example: By fall of 2020, library staff will have added Bold360 Chat service for community residents.

### **Plan Evaluation**

While not required by standards, it is recommended that the board, director, and staff evaluate the library’s plan at least annually. Having a deliberate discussion about planning progress reveals what was accomplished in the past year. It also helps decide whether unmet goals are still worthy of moving forward and whether new goals and objectives should be added. Annually evaluating the library’s planning progress celebrates successes and points the way toward future endeavors.

### **In Summary**

A library should undertake a formal planning process every three to five years to reevaluate the library’s service to the community and its future. Planning involves looking at what is possible and considering a wide range of alternatives. Open-mindedness and creativity will help you develop a plan that will make the most effective use of library resources. Keep in mind the present and future needs of the entire community served by the library. Planning will be most effective when it involves a partnership between the board and director and includes obtaining input from the members of the public, as well as from staff.

Find more information on the **Planning Process**, including templates, methods, and how to get assistance on the State Library website.

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***“It takes as much energy to wish it as it does to plan it.”***

Eleanor Roosevelt



## Chapter 8: Evaluating Service and Advocating for Advancements

### Evaluating Service

The library has a strategic plan and a budget that dictate what the library should be doing to provide service to the community. It is the board's responsibility to monitor and evaluate overall results of service and programming based on these documents. Monitoring doesn't mean that you should be in the library every day observing the kind of service provided by library staff. However, the board can survey the community to measure the satisfaction of those who use the library and to identify strengths and areas for improvement. The very term "trustee" indicates what the community expects from you. The community puts its trust in you to make sure the library is operating the way it should and the library is achieving the desired outcomes. It's your job to keep an eye on the progress of the library for the community.

**A successful library reflects the strategic plan and the annual budget working to support each other.**

### Board Evaluation

Another aspect of evaluation is gauging the effectiveness of the board itself. Successful boards pay attention to communication, relationships, and hold themselves accountable for smart decision making. The most highly functioning libraries are led by highly functioning boards.

Your group should take time every year to formally evaluate board performance. The purpose of a board evaluation exercise is not to find fault with individuals, but instead to identify strengths and areas for improvement. A board evaluation should be followed with a plan to improve. See **Appendix** for sample board assessment tools.

## Advocating For Advancements

As a library advocate, it is necessary that you understand the value and importance of public library service. And further, that you communicate that value to the community, government leaders, and other decision-makers. When you advocate for better public library service, you are promoting a better quality of life for your community today and in the future. Advocacy is a primary role of library trustees because you have statutory responsibility for your library's governance and are expected to better its services.

As a volunteer leader of the library, you can be a good advocate for the organization because your motivation is service to the community. Board members are also community leaders and influential in the community, prime qualities for an advocate. You serve as the connection between the local community and its public library and are in a unique position to promote the library and see that it meets the needs of the community.

Advocacy efforts will generally be part of a planned board effort, where the board speaks with one voice. You, as an individual board member, can speak about the board's official position on issues and can also promote the interests of the library at any time. Advocacy may include establishing a relationship with the mayor, city council, and county board of supervisors; communicating to the taxpayers the needs and plans of the library; and carrying out public relations activities for the library.

In carrying out its advocacy role, one of the main responsibilities of library boards is to obtain adequate funding for the library. As a representative of the general public, you can make a more effective case for the importance of adequate funding for the library than the director, who may be viewed as having a vested interest in a larger budget.

### Effective advocacy requires:

- ❖ A deep personal commitment to your library and the services it provides.
- ❖ A willingness to go out into your community on behalf of the library.
- ❖ A sense of what the community needs the library to be in the future.
- ❖ A willingness to work to help move the library forward.

## Telling the Library Story

Don't wait for a budget presentation to make a case for needed funding or to describe library programs and services. To make sure the library is seen as an essential community service, tell the library story all year. Invite officials to library programs and activities. Ask the director to provide reference services and assistance to city departments and officials. Share your successes with your city and county. Awards, record numbers at summer library programs, staff accomplishments and news articles should be part of regular reporting about the library to the city council.

In your community there are people who use the library and people who pay taxes to support the library but do not use it. Embrace all community members and be prepared to work with groups as well as individuals. This means not just waiting for an invitation, but initiating opportunities to meet with community groups such as Rotary, Kiwanis, school parent-teacher groups, Chamber of Commerce. Learn about community issues, interests, and concerns. Work with the director and other board members to communicate how the library can meet the needs of the community.

A successful advocate can bring new users and new revenue into the library, as well as increased awareness of library service. Legislators have been known to change their view of libraries after speaking to a trustee advocate. Or the people you talk with might become so enthused that they will leave a bequest to the library in their will, help with a fundraiser, or speak to state or federal legislators on behalf of the library.

More information regarding **Advocacy** is available on the State Library website.

### **Intellectual Freedom Advocate**

Finally, as a trustee advocate, you will be a defender of intellectual freedom, defined by the American Library Association as the “the right of every individual to both seek and receive information from all points of view without restriction.” Once the board has established a collection development policy and library resources are purchased which respond to community needs, trustee advocates must recognize a sacrosanct responsibility to permit people access to those materials. One of the most frequent questions asked of trustee advocates (usually in front of an audience) is whether a particular book or other item should be in the library's collection. The response must be unequivocal in defense of intellectual freedom.

See **Chapter 15: Intellectual Freedom** for more information.

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***“A library outranks any other one thing that a community can do to benefit its people.”***

Andrew Carnegie



## Chapter 9: Board Relationships with Director, Staff, and City

### Board Relationship with the Director

Working relationships determine the culture of a library. Every effort should be made to maintain cordial and collaborative relationships. Chief among these relationships, because of its effect on the overall library administration, is the working relationship between the director and the board.

The board delegates all library management responsibility to the director. The board's job is monitoring the director's effectiveness in providing library service to the community. This system is effective because it has a board of trustees who represent the interests of the community and a qualified director who has the skills to make the library run efficiently within the parameters set by the board. How much does the board do and what are the responsibilities of the library director?

The director is a valuable resource to the board on all issues and often acts as the discussion leader on many issues that come before the board. The director should attend all board meetings and is expected to make well-supported recommendations regarding proposed changes to policies or services. The director should be expected to take part in deliberations to help the board make decisions in the best interests of library service to the community. It is the director's obligation to report to the board accurately and completely about how the library is being managed including problems, plans, and progress.

While the board has responsibility for decision-making, the director has the responsibility to provide the board with the data needed to make well-informed decisions. Remember, though, that while carrying out their respective roles, the director is responsible to the board as a whole, but not responsible to each board member individually. Individual board members, including the board president, should not make personal demands or give orders to the director. The board must speak with one voice when delegating to the director or when requesting information. The director must serve the board as a whole in order to manage the library effectively.

## Duties and Responsibilities of the Board and Director

Library Topic/Area	Library Board Responsibilities	Library Director Responsibilities
<b>Staff</b>	Employ a competent and qualified librarian. Includes recruiting, hiring and annually evaluating the director based upon a well-defined job description and expectations. Adopt personnel policy and set adequate salary and benefits for all staff.	Recruit, hire and annually evaluate library staff based upon well-defined job descriptions and expectations. Suggest improvements needed in salaries, working conditions and personnel policy.
<b>Policy</b>	Determine and adopt written policies to govern the operation of the library.	Carry out the policies of the library as adopted by the board. Recommend policies to the library board.
<b>Planning</b>	Determine the direction of the library by studying community needs. See that a plan is developed for meeting needs and that the plan is carried out.	Suggest and carry out plans for library services. Manage day-to-day operation of the library. Design library services to meet community needs/interests. Report the library's progress and future needs to the board.
<b>Budget</b>	Examine the budget proposed by the director; make revisions as needed; officially adopt the budget; present library budget to mayor/city council. Review expenditures in accord with budget, amending line items within the budget if needed.	Prepare and submit a budget request to the library board based on present and anticipated needs. Maintain complete and accurate records of finances. Expend funds based on approved budget.
<b>Advocacy</b>	Advocate for the library through contacts with general public, civic organizations and public officials. Attend city council meetings to keep council informed on library activities. Work to secure adequate funds to carry out the library's services	Advocate for the library through contacts with general public, civic organizations and public officials. Attend city council and/or county supervisor meetings. Work to secure adequate funds to carry out the library's services.
<b>Legal Issues</b>	Be familiar with library ordinance as well as state and federal laws affecting the library.	Be familiar with library ordinance and keep the board informed on laws affecting the library.
<b>Continuing Education</b>	Participate in continuing education activities and encourage library director to do the same. Provide and/or see that new trustees receive an orientation to the library.	Participate in continuing education activities and professional organizations; encourage continuing education for library staff. Participate in orientation of new trustees.
<b>Communication</b>	Communicate with the library director.	Communicate with the library board.
<b>Collection Development</b>	Adopt collection development policy.	Select and order all books and other library materials and resources.
<b>Board Meetings</b>	Regularly attend board meetings; conduct affairs of board at regularly scheduled meetings.	Attend board meetings; prepare a written progress report; provide information as needed/requested by the board.
<b>Board Member Recruitment</b>	Recommend qualifications and candidates for board to mayor/city council. Notify city of board vacancies.	Assist in developing qualifications for new trustees.

## Board Relationship with the Staff

### **The only employee who reports directly to the board is the library director.**

Understanding the nature of the relationship between the board and other staff members will prevent organizational problems and contribute to a smooth running library. Decisions by the board affect working conditions, salaries and benefits and other personnel matters.

The director is responsible for hiring, supervising, evaluating, and, if necessary, disciplining and dismissing staff. The director is accountable to the board for the performance of all staff. Employees need to clearly understand the authority of the library director, who is accountable to whom and who has responsibility for what.

- ❖ The board hires the director to be the expert in management of the library, including the management of all other personnel.
- ❖ The board has no direct responsibility for day-to-day supervision of staff other than overseeing the director.
- ❖ Board members have no authority to issue orders to staff or make demands of staff except through the director.
- ❖ The board has no direct responsibility for assessing staff performance except for the director's.

Staff members may sometimes go around the director and take concerns and complaints directly to the board or to individual board members. It is the board member's responsibility to remind the staff person about the proper procedure for concerns or complaints. The board does not act on complaints from the staff, except through a grievance procedure outlined in policy. Concerns or complaints that come directly to trustees should be reported to the director for resolution.

As a board member, you should show concern for the well-being of staff. And that starts by learning staff persons' names, which begins by learning about staff people in key roles. Encourage retention of good staff by budgeting for competitive pay and benefits. Ensure a line item budget for staff training and continuing education. Work with the director to recognize and acknowledge good staff performance and say thanks to staff through specific board action.

## Board Relationship with the City

The public library is an important city service, particularly when it comes to quality of life. Public libraries today offer books; ebooks; programs for all ages; internet access for employment, health, connection, and access to information; public meeting rooms; technology assistance; and much more. Although the library board has more autonomy than most city departments, it is shortsighted to think of the library as "separate" from the city. It is better to think of the city and library as a team working together to make life

in your community the best it can be.

Your relationship with the city is critical if for no other reason than the city makes decisions about the library's funding. But it's more than just the funding. If the library and city have a good relationship, your community wins. It wins because the library can focus on serving the needs of the community rather than on feuds that drain everyone's time and energy.

One of the most important ways you can strengthen your official relationship with the city is to keep communication open:

- ❖ Keep the city informed about board decisions.
- ❖ Consider a city council liaison to the library board.
- ❖ Attend a council meeting once a quarter and make a report about the library.
- ❖ Educate the council regarding the role of the library and **Public Library Standards**.
- ❖ Keep the city informed about unexpected revenue (required by **Iowa Code section 384.20**).
- ❖ Invite the city council to hold meetings at the library.
- ❖ Invite city officials to library programs.
- ❖ Ask the mayor, city council, city clerk to be part of a library program.

In addition to keeping communication with the city open, another way to build the relationship is to support city efforts:

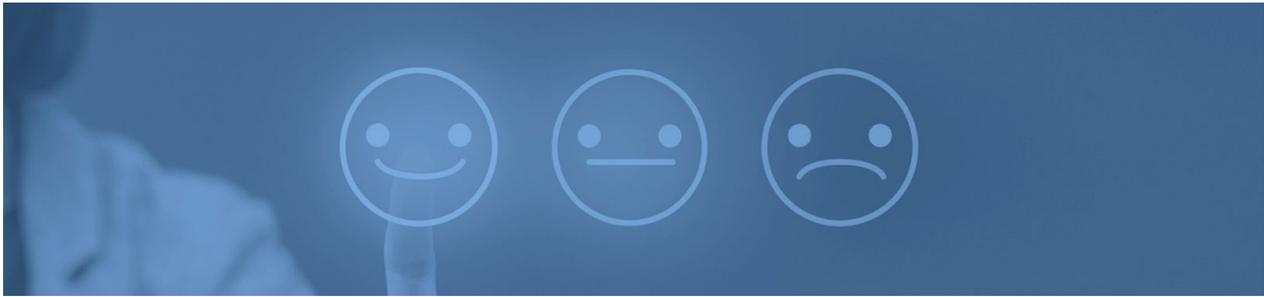
- ❖ Work directly with the city on community development.
- ❖ Volunteer readily for community events.
- ❖ Communicate ideas and concerns to the city.

Withholding information, making negative comments about the city and/or looking at the city as the enemy are guaranteed to harm your library and the community it serves.

### **Are Library Employees City Employees?**

Public libraries do not exist without their cities; the cities created them. **Iowa Code 392** is entitled "City Administrative Agencies;" **Iowa Code 392.5** is entitled "Library board." Therefore, libraries are considered city administrative agencies. Public library employees are city employees because the public library is a city agency. **Iowa Code 392.1** explains the relationship between cities and their administrative agencies.

Public library employees' salaries are paid from the city's general fund in the form of an appropriation; that makes public library employees city employees. If the city offers benefits to some city employees but not others, that is a discriminatory practice. An Iowa Attorney General's Opinion dated March 18, 1976, stated in the last paragraph: *"It is the view of this office that the library board has express power to hire and fire the librarian and other library employees. However, it must be remembered that all such employees are employees of the City of Davenport and the library board is an agency of the city deriving."*



## Chapter 10: Evaluating the Library Director

Looking back to **Chapter 2: The Five Primary Responsibilities of Iowa's Public Library Boards**, one of the responsibilities listed is to evaluate service and advocate for advancements. An important part of evaluating the effectiveness of library service is to evaluate the library director's job performance. Iowa's **Public Library Standards** require that boards conduct the director's job evaluation annually.

Trustees evaluate the director all the time—informally—by what they see happening in the library, by what they hear from the public, and by what they perceive as the library's reputation in the community. But such informal observations do not take the place of a formal job review process. The best way to evaluate the director's job performance is to use the current job description. Then develop a written evaluation based on specific criteria, determining how well the director is meeting the job description and accomplishing management goals.

There are many benefits to providing an annual evaluation of the director's work:

- ❖ Provides the director with a clear understanding of the board's expectations
- ❖ Ensures the director is aware of how well the expectations are being met
- ❖ Serves as a formal vehicle of communication between the board and director
- ❖ Identifies the board's actual concerns so that corrective action can be taken
- ❖ Creates an opportunity to review and acknowledge the director's accomplishments
- ❖ Documents annual accomplishments in meeting the library's strategic plan
- ❖ Demonstrates sound management practices and accountability to municipal officials and the community

A written evaluation allows the board and the director a system to communicate about how to improve library service. An annual evaluation provides a method to acknowledge and reward good performance as well as work with the director to correct inadequate areas of performance. If problems arise with the director's performance during the year, the board should discuss these problems with the director at that time, along with possible solutions. At the time of the annual evaluation, there should be no surprises.

A new director will need goals that assist in learning the position and should be evaluated more frequently than once per year. Typical practice is to provide a probationary evaluation after 6 months. If a director has been on the job for a long time, goals might reflect broader ideas such as providing new services.

### **Director Evaluation Considerations**

Before creating a new evaluation form, check with your city to see if there is a job evaluation form already in use for other city employees or for other department heads. If so, discuss adapting that form; it may require revising the form to fit the library director's specific job duties. The following list provides points to consider when developing or adapting an evaluation form for the library director:

#### **Implementing Board Decisions**

- ❖ Are board decisions implemented on a timely basis?
- ❖ Once board decisions have been made, does the director support and not undermine them?

#### **Preparing and Managing the Budget**

- ❖ Is the preparation work completed in a timely manner for the board?
- ❖ Does the budget cover all necessary expenses?
- ❖ Are funds allocated or reserved for unanticipated contingencies?
- ❖ Are the funds allocated effectively?
- ❖ Are major corrections to the budget during the fiscal year avoided?

#### **Hiring and Supervising Staff**

- ❖ Are positive management/staff relations maintained?
- ❖ Are fair and equitable HR policies proposed for board adoption and then fairly administered?
- ❖ Is the hiring process designed to ensure that the best person is hired?

- ❖ Is the hiring process consistent with legal requirements?
- ❖ Does staff receive training adequate to perform their jobs?
- ❖ Is staff development encouraged for learning new skills? Is it supported with funding?
- ❖ Have peak service hours been identified and staff assigned accordingly?
- ❖ Are job descriptions current? Are staff functions analyzed periodically with the objective of combining or eliminating tasks or creating new assignments?
- ❖ Are staff workloads equitable?
- ❖ Does the director conduct staff performance evaluations regularly?

### **Managing the Collection**

- ❖ How adequately does the library identify needs and interests in the community and translate these into the library's collection and services?
- ❖ Have priorities been established to enable the library to respond to a potential budget cut?

### **Implementing the Library's Strategic Plan**

- ❖ Does the library have a current plan and does the plan reflect board priorities?
- ❖ Is the plan updated to reflect changing circumstances?
- ❖ Are the director's activities and accomplishments consistent with the plan?
- ❖ Is the plan flexible enough to allow for changing circumstances?
- ❖ Does the director provide enough information to the board about implementing the plan?

### **Promoting Library Services and Programming**

- ❖ How effectively are current and new services communicated to the public?
- ❖ Are circulation trends, program attendance, reference questions, Internet use and other uses of the library tracked, analyzed, and needed changes made?
- ❖ Are services and programs producing the desired impact in the community?

### **Keeping Current**

- ❖ Are innovations in service delivery and technology studied thoroughly and

implemented if they fit the needs of the library and are proven to be cost effective?

- ❖ Does the director maintain current knowledge of best library practice?
- ❖ Is the staff encouraged and assisted in learning about best library practice?

### **Demonstrating Positive Behaviors**

- ❖ Are “hard decisions” made and implemented or are they deferred or ignored?
- ❖ Does the director display initiative?
- ❖ Does the director make decisions objectively or do personal biases intrude?
- ❖ Is the director open with the board about both accomplishments and problems?
- ❖ Does the director set an example for other staff through professional conduct, high principles, good work habits, etc.?

### **Dismissing the Library Director**

Probably the most stressful situation a library board can face is the potential dismissal of the library director. Boards that hire carefully, communicate well, nurture positive working relationships, and evaluate effectively should not have to experience this unpleasant task. Yet when all potential solutions have been exhausted and the problems still cannot be resolved, dismissal is a last resort.

Directors are usually dismissed only after serious infractions of library policy, violation of the law, or very poor performance coupled with unwillingness or inability to improve. **It is essential that the reasons for dismissal have been carefully documented.** The board has a responsibility to ensure that personalities and biases are not factors in any dismissal decision. The dismissal and/or appeals procedure should be described explicitly in the library’s personnel policy and allow the director a fair hearing to discuss specific charges. A board should not begin a dismissal process unless it understands the implications, has consulted with the appropriate local government officials, believes its position is defensible, and has obtained appropriate legal advice from an attorney.

The following factors should be considered prior to making a final decision to dismiss a library director:

- ❖ Was there proof of a violation or a history of poor performance?
- ❖ Was there notice given to the director regarding the performance problem?
- ❖ Was the reason for termination related to library employment?
- ❖ Was there an investigation and documentation? Was the investigation fair and objective?

- ❖ Is there equal treatment of other library employees in similar situations?
- ❖ Is termination of the library director an appropriate disciplinary action? Even if the library director has done something wrong, has been given notice, and has not ceased the activity, is termination too harsh a penalty? Or would some other consequence be more reasonable?



## Chapter 11: Effective Board Meetings

The structure of library boards works because of the leadership abilities and commitments of each member. The most important work of the board is conducted at its meetings. Because the board must work together collaboratively and speak with one voice, individual trustees have no authority on their own. Any change in policy or other decisions must be brought before the entire board. The board only has authority when it makes a group decision in a legally constituted meeting. How the meetings are conducted can make the difference between an effective or an ineffective board.

### Open Meetings Law

Public library board meetings are subject to the Open Meetings Law in **Iowa Code Chapter 21**. Public libraries, like other tax-supported agencies, must operate in the best interest of the public. The Open Meetings Law, requiring that all meetings of government bodies be held in public, is designed to protect the public from secret dealings by public boards. Public notice of the date, time and place of board meetings, must be posted at least 24 hours before the meeting. Very simply, this statute is a protection against abuse of public power. At least one public library board in Iowa has been investigated in recent years and was found to have violated the Open Meetings Law. For more detailed information see **Chapter 13: Library Law and Legal Matters** or **Iowa Code Chapter 21**.

It can be difficult for board members to conduct a meeting and speak candidly with the public or media representatives watching and listening. Trustees may feel a need to be overly responsive to those listening; the result can be a meeting that seems more for the audience than for the board. Some trustees may be so intimidated by an audience that they don't voice their opinion; when that happens, all sides of an issue are not being considered. Even though it may be challenging to conduct a meeting in public, attempting to circumvent the Iowa Open Meetings Law is illegal and unwarranted. Your board can function well in the open and within the law. Here are a few suggestions:

**Keep in mind that you have been chosen to represent a large number of people.** The people who show up at a board meeting usually represent a very small percentage of your constituents and should not have an undue influence on your actions.

**Have a clear policy regarding public comment.** If you have a public forum section of the agenda, keep in mind it is a time for listening, not uncontrolled debate. Set a time limit for the open forum and a time limit for each speaker, explaining the rules for those who want to speak. State in your policy that the board will listen, but will not respond during the meeting to those who speak during the open forum. If a response is needed, it should come at a later time when the board has had time to deliberate the issue, to seek more information, or to take recommendations from the director.

**Understand that your board meeting is a meeting conducted in public, not a public meeting.** In other words, the public, and possibly media representatives, are there to watch the board work, not to participate in the board meeting (except for the open forum above).

### **Responsibilities of Board Members During Meetings**

Board effectiveness and productivity will suffer without all members consistently in attendance and participating in meetings. Absenteeism inhibits full discussion and expression of all perspectives, leading to a greater possibility that poor decisions will be made or that decisions will be delayed. Unless otherwise defined in bylaws, a quorum is typically a majority of board members. For example, the quorum for a seven member board would be four members present, either in person or online. Without a quorum, the board cannot legally conduct business.

The board president runs the meetings and keeps the group moving toward good decisions. However, it is each trustee's responsibility to:

- ❖ Prepare for and attend all meetings
- ❖ Arrive on time
- ❖ Take an active part in discussions, but not dominate or get the board off track
- ❖ Use parliamentary procedure and abide by any state laws that apply to your meetings
- ❖ Practice the arts of listening and compromise; work towards consensus on issues
- ❖ Focus deliberations on the mission of the library and the best interests of the community
- ❖ Publicly support the board decision, even if you disagree with the final decision. The board speaks with one voice.

The agenda packet should be made available—either via the mail or electronically—several days before the meeting. Meetings will be shorter and more productive if all members are familiar with the agenda and related materials. If you have questions, ask the director prior to the meeting. Study the agenda so you understand what is expected of you at the

meeting. Which agenda items will require a vote? Which ones will require only discussion and input?

Some issues will require that you seek input from community residents before making a decision. Don't assume how people feel about an important issue. As the connection between the community and the library, solicit community input regularly.

Even though you research issues and prepare for discussions, it is unethical to decide how you will vote on an issue before the meeting or to promise people how you intend to vote. Keep an open mind and make your decision only after deliberation during the meeting with the full board and when all sides of the issue have been explored.

## Parliamentary Rules

Board meetings should be conducted according to parliamentary rules (i.e. **Robert's Rules of Order**) and stated in the bylaws. These rules are intended to set a businesslike and courteous tone, allow for ample discussion of the issues, protect the right of all board members to be heard on the issues, and not allow the discussion to get out of control.

You should have a basic understanding of parliamentary rules so that you can be a part of the process of moving quickly and efficiently through an agenda. When a disagreement among board members occurs about the way to proceed, consult the parliamentary guide.

## Agendas

Your board meeting must be guided by a published agenda, ideally prepared by the director and board president (a sample agenda is included in the **Appendix**). The purpose of the agenda is to set a clear direction for the meeting for the board and for the public. The board president will ask the board to formally vote to approve the agenda at the beginning of the meeting. When the board approves the agenda, members agree to discuss the issues on the approved agenda in the order listed.

Keep in mind that all members have a right to place items on the agenda prior to the meeting by bringing items to the attention of the director or the board president. Be careful of last-minute additions, which prevent the board having enough time to consider the issue. Equally important, last-minute additions do not give members of the public adequate notice.

## Motions

A motion is a formal request or proposal for the board to take action. Based on committee reports and director recommendations, any board member may make a motion at any time in accordance with the parliamentary guide. To make a motion, you simply address the board president and "I move that..." and state the action you wish the

board to take. Most motions require that another board member support the request for action by seconding the motion.

Once the motion is seconded, it is restated by the president. The board then discusses the motion. Some motions, such as the motion to adjourn, do not require discussion. By requiring a motion on an issue prior to discussion, the board focuses discussion only on agenda items and is better able to stay on track. A vote may only be taken on items indicated on the published agenda.

Allow ample time to discuss the pros and cons of the issue. The group must work toward moving the discussion forward and reaching a decision. Once the motion has been thoroughly discussed, the president calls for a vote on the motion. You may be asked to vote by saying “aye” (yes) or “nay” (no) in a voice vote, by a show of hands, or in a roll-call vote. Your vote will be recorded in the minutes.

You should not vote if you have a conflict of interest. This occurs when a conflict exists between a board member's obligation to the public and his/her own personal interest. The board should have a policy defining conflict of interest which states whether a board member may discuss and/or vote on an issue when that member has a conflict of interest.

Abstaining on a motion before the board is appropriate only when you have a conflict of interest pertaining to the issue before the board. Otherwise, you are appointed to express an opinion on the issues and abstaining expresses no opinion. Once the vote is taken, the president states whether the motion passed or failed.

## **Minutes**

The meeting minutes, when approved by a formal vote or by consensus of the board, are the official legal record of what happened at the board meeting. However, the minutes are not an exact record of what was said, they are a record of what was done. As part of their orientation, the newest trustees should review past minutes to obtain a good perspective on the issues the board has faced and how the board handled them.

Board members may request corrections to the minutes before the board votes to accept them. But board members do not have a right to demand that their reason for voting a certain way or their detailed views about an issue be recorded. Every trustee should have had an opportunity to express their views prior to voting on any issue. “Yes” or “No” votes represent individual views on the issue in a roll-call vote.

## **Reports**

During the meeting, board members will hear reports from committees, as well as the director and staff. Reports provide background and information needed to deal with the issues on the agenda, often including a recommendation for board action. When reports

are included in packets prior to the meeting, trustees are then better prepared to take action. Like the meeting minutes, reports do not need to be read aloud. Those presenting reports should simply highlight information, clarify items and answer questions

## Bylaws

Bylaws are rules written and adopted by the board for operating its own meetings or affairs. Since the city-library ordinance is the local law governing the library, the bylaws must be consistent with the ordinance and not more restrictive. The library board should establish procedures for amending and changing the bylaws. Bylaws are essentially an internal document outlining how the board conducts its business. Because bylaws are not a legal document, they may be changed by a vote of the board as often, or as infrequently as necessary.

Typical points that are found in bylaws are frequency of meetings, date/location of meeting, elections of officers, committee structure, etc. For a listing of points to include in board bylaws, see the sample in the **Appendix**.

## Board Officers and Election of Officers

Board officers, particularly the president, must be well respected. The president must have strong leadership skills and be willing to give the extra time necessary to carry out any extra duties of the office. It's best if officers are the more experienced members of the board. If you are asked to be a candidate for a board office, consider carefully if you have the extra time it will take to do the job well.

The purpose of electing officers is to place the best people into leadership positions. It shouldn't be a popularity contest, a struggle between factions for a power position, or just "whoever will say yes." Choose officers who are well suited for the position and have the necessary skills. Election of officers is an annual practice, commonly on the agenda in July or August, after terms have expired and new trustees have been appointed.

**President:** Typically, the duties of the board president are to chair the meetings, set the monthly agenda with the director, keep to the agenda during the meeting, and ensure fruitful discussion. Board presidents are often the spokesperson for the full board, often speaking to community groups and organizations, signing contracts on behalf of the board. A board president has no more power than any other board member and will frequently abstain from voting unless needed to break a tie.

**Vice President:** The vice-president traditionally serves as the backup for the board president. VPs are usually assigned additional duties such as chairing committees, taking charge of board development activities, or preparing for special board events. The VP works with the president to stay current on library business so that they are able to assume the president's duties if the president cannot carry them out. The vice president is often considered the logical successor to the president during election of officers.

**Secretary:** One board member traditionally serves as secretary. However, since library business is more complex and all board members are needed to participate in deliberations, perhaps the traditional role of the board secretary needs to be reexamined. For example, all trustees could share this task by using a template to record the actions and votes. From the template, either the director or designated secretary can type up the minutes in preparation for next month's meeting.

**Committees:** The many and complex issues facing your library cannot always be handled efficiently by the full board. The purpose of creating a committee is to extend the capabilities of the board. Committees are not autonomous groups with loose connections to the board, but rather extensions of the board and always responsible to the full board. Committee work is a good place for board members to offer any special expertise and to learn more about the library.

If the board decides to appoint a subcommittee, the subcommittee must meet in open sessions as long as it is doing deliberative work. Subcommittees can investigate matters, then bring those issues before the entire board for discussion and approval.

Committees are advisory bodies, described in bylaws, that make recommendations to the full board for consideration and action. Committees have no power or authority beyond what is granted to them by the full board. The only action committees can take is to study the assigned issue and make recommendations to the full board about the issue. Remember that committees are a smaller group, not enough to constitute a quorum, since in that case, subcommittee meetings would be subject to Iowa Open Meetings law.

Approach committee meetings as seriously as you do the regular board meetings. Prepare for the committee meeting, attend it, and take part in the discussions. If you have an assignment from the committee, complete it on time. Help your committee stay focused on its responsibility. Although committee meetings are usually not as formal as a full board meeting, they should have a chairperson, agenda and goals. It is considered best practice for committee reports to be written and submitted to the director for filing. Some common committees are Finance, Personnel, Buildings and Grounds, Community Relations, and Policy.



## Chapter 12: Problem Solving and Decision Making

During a board meeting, best practices in problem solving and decision making can follow this process:

- I. **Define the issue clearly:** The best way to define the issue is to make a motion. If you are not clear about the intent or meaning of the motion, ask for the motion to be clarified. It may be necessary to ask that the wording of the motion be amended for clarification. The chairperson should make it clear to all what a positive or a negative vote means.
- II. **Study the information:** Authoritative information helps the board understand issues and make good decisions. The director and committee reports are standard sources for information about the issues that come before the board. Remember that board members are not appointed for their expertise and experience in running a library, but rather for their ability to ask the right questions, draw upon their experience and leadership skills, and make informed decisions for the good of the library and community. Call on outside experts when necessary.
- III. **Consider the alternatives:** Approach every issue with an open mind. Play the “devil’s advocate,” asking the tough questions and encouraging other board members to voice their opinions. Even recommendations from the director or a committee must not be accepted without a hard look at the possible alternatives.
- IV. **Seek assistance:** Seek help from outside the board, including attorneys and other specialists who can guide you in making decisions. Remember that no matter who recommends what or who advises you how to vote, the board has the ultimate responsibility for the decisions that are made.
- V. **Assess the issue in light of your mission and long-range goals:** Every decision the board makes should be consistent with its long range plan and be for the greatest good of those who use the library.
- VI. **Project the consequences:** This is where the board member’s vision comes in. A

board decision cannot be made in isolation. You must consider how this decision will affect people, programs, and plans. How will the community be affected by your decision? Are there possible legal consequences with this decision? Will a decision to spend money in one area mean that less money will be available in other areas?

- VII. Reach a decision:** Set aside personal bias and emotions and cast your vote for what you think is the best interest of the library. Many of the decisions your board team makes will be done by consensus. Consensus simply means that all board members can live with and support the decision, even though it may not be each trustee's first choice. To reach consensus, an issue is discussed until agreement is reached among all members. This method is more time-consuming, but it has advantages over the majority vote. Building consensus helps avoid creating a win/lose atmosphere and forces a board to discuss an issue more thoroughly. Compromise is at the heart of arriving at consensus. Once a decision is made by the board as whole, you should support it regardless of how you voted.

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***“The best way to predict your future is to create it.”***

Abraham Lincoln



## Chapter 13: Library Law and Legal Matters

It is important for board members to understand the essentials of a number of federal, state and local laws. Please consider this chapter to be legal information, not legal advice, which is defined as the application of law to specific circumstances. You should consult a lawyer if you want professional assurance that the information, and your interpretation of it, is accurate.

### City-Library Ordinance

Most of Iowa's public libraries are established by an ordinance very similar to the sample ordinance in the appendix of this Handbook. Libraries established after Iowa's Home Rule Act (1972 Acts chapter 1088) may have an ordinance similar to the sample ordinance or it may be substantially different. In the city-library ordinance you will likely find:

- ❖ The number of board members, how they are appointed, and their term of office
- ❖ The powers and duties of the board, including its authority to set the librarian's salary and control the library's expenditures
- ❖ Procedure for budgeting and approving bills
- ❖ Reports required from the library to the city council

### Changing the Library's Ordinance

*"A proposal to alter the composition, manner of selection or charge of a library board, or to replace it with an alternative form of administrative agency, is subject to the approval of the voters of the city."* (**Iowa Code 392.5**) For sound reasons, changing the library ordinance is not simple. Most other city ordinances are changed through a vote of the city council. However, substantial changes to the library ordinance—such as changing the number of board members, how board members are appointed, or their powers and duties—require a public vote at a general election.

A frequently asked question about the library ordinance is “Our ordinance states that all seven members of the board shall be residents of the city. We would like one of the board members to be a rural resident. How do we proceed?” Such a change to the library ordinance must be submitted to the voters in a city election. The library board may request that the proposed changes be placed on the ballot. If a majority of the voters approve, the city changes the library ordinance in accord with the proposal.

**Iowa Code 392.5** protects library boards and the powers of library trustees against direct city control over libraries. This protection insulates library governance from political influence and safeguards intellectual freedom. The exception to this is libraries that have advisory boards; Iowa has two such advisory boards, all others are administrative governing boards.

## Open Meetings

*“This chapter seeks to assure, through a requirement of open meetings of governmental bodies, that the basis and rationale of governmental decisions, as well as those decisions themselves, are easily accessible to the people. Ambiguity in the construction or application of this chapter should be resolved in favor of openness.” (Iowa Code 21.1)*

Library board meetings are subject to the Iowa Open Meetings Law. Iowa law assumes that meetings are open to the public. Iowa citizens do not have to make a case to attend a governmental meeting such as a library board meeting. Even an informal meeting of library trustees would be subject to the Open Meetings Law if there is a majority of the trustees at the gathering and library business is discussed.

### What is the Definition of a Meeting?

A meeting is defined as *“a gathering in person or by electronic means, formal or informal, of a majority of the members of a governmental body [library board] where there is deliberation or action upon any matter within the scope of the [library board’s] policy-making duties.” (Iowa Code 21.1)*

### How Much Notice Should Be Given for the Meeting?

Boards are required to publicly post their meeting notice at least 24 hours in advance. The posting should be in a prominent place, accessible to the community, in the building where the meeting is expected to take place. The agenda should also be posted online, ideally on the library website and the city website. The agenda must include the date, time, and meeting place. If a news/media agency requests a copy of the notice and agenda, the library board must supply it.

### What Additional Information Must Be on the Agenda?

The agenda should include all business to be discussed at the meeting in enough detail to give community members a good idea of what topics will be discussed. If an item comes up at the meeting that has not been included on the agenda, action should be deferred to a later meeting. However, the law does allow for items that may come up on

an emergency basis.

### **What Should Be Included in the Minutes?**

Minutes of all library board meetings must be kept and include the date, place, the members present, any action taken at the meeting and enough information to allow the public to determine how each member voted. Minutes are subject to the Open Records Law and must be made available to the public if requested.

### **When May a Meeting Be Closed?**

To have a closed session, the government body must first meet in an open session. This means notice and the agenda, which reasonably apprises the public of what is about to occur, must be posted 24 hours in advance. The government body may go into closed session only with two-thirds majority vote of the entire board or a unanimous vote of all the trustees present. In addition, the specific reason to go into closed session under **Iowa Code 21.5** must be announced in open session. If a closed session is conducted (note: there is no requirement to have a closed session) detailed minutes of the closed session must be kept and the closed session must be audio recorded. No final action may be taken during the closed session.

There are very few reasons listed allowing a closed session and each reason has very specific requirements. The following examples illustrate the need to read and become familiar with the law before going into closed session. **Iowa Code 21.5(1)(i)** allows trustees to evaluate the professional competency of an employee or potential employee, but two criteria must be met: (1) the closed session must be *"necessary to prevent needless and irreparable injury to that individual's reputation"* and (2) the person you are evaluating must request a closed session. Without both requirements met, a closed session is not allowed by law.

Another example is when the government body is discussing the purchase of real estate. A closed session may be held only if the *"premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property."* This particular section is unique because after the transaction is complete the government body must make available the audio recording and minutes from the closed session.

The specific requirements of the Open Meetings Law can be confusing. If you are uncertain, seek legal advice before proceeding. Under the Open Meetings Law there are exceptions to the liability of the law if you *"reasonably relied upon a decision of a court or a formal opinion of the attorney general or the attorney for the governmental body."* You may also contact the **Citizens' Aide/Ombudsman Office** at 888-426-6283 or review the **Iowa Attorney General Sunshine Advisories**.

Board members should be familiar with Iowa's Open Meeting Law and each member should have a copy of the Iowa Open Meetings/Open Records Handbook, available from the **Iowa Freedom of Information Council**.

## Open Records and Confidentiality

*“Every person shall have the right to examine and copy public records ... [however] the following records shall be kept confidential unless otherwise ordered by a court, by the lawful custodian of the records, or by another person duly authorized to release such information ... The records of a library which, by themselves or when examined with other public records, would reveal the identity of the library patron checking out or requesting an item or information from the library. The records shall be released to a criminal or juvenile justice agency only pursuant to an investigation of a particular person or organization suspected of committing a known crime. The records shall be released only upon a judicial determination that a rational connection exists between the requested release of information and a legitimate end and that the need for the information is cogent and compelling.” (Iowa Code 22.2 and 22.7(13))*

Library boards should take every precaution to guard the confidentiality of library customers. This includes ensuring that:

- ❖ A confidentiality policy for the library is adopted by the board.
- ❖ Circulation records in an automated system are not kept after statistics are recorded and the material is returned; any fines or fees attached to the record are paid.
- ❖ Overdue notices are sent only in sealed envelopes or via e-mail and never on postcards where others could see what the customer has checked out.
- ❖ Phone reminders of overdue items and reserves left on answering machines maintain confidentiality by not verbally revealing the titles of the items.

Included in a confidentiality policy should be a statement about the custodian of the record and the circumstances within which library check-out records may be released. The identity of which customer requested which materials or information may be revealed only:

- ❖ If the library is presented with a court order. (The court order must indicate that this information is needed for the investigation of a particular person or an organization and may only be issued after a judge has determined if the connection between the case and the record makes it “cogent and compelling” that the information is released.)
- ❖ If the lawful custodian of the records, defined by an Iowa Attorney General’s opinion to be the library director, releases the information. (To safeguard customers’ confidentiality, the library board should state in the policy that the record shall be opened by the lawful custodian only upon receipt of a court order as indicated above.)

Library customer information (such as names and addresses) that is not attached to a circulation record may also be kept confidential if the library board reasonably believes that releasing the information would discourage people from applying for library cards. The board should adopt a policy on release of this type of information. See **Iowa Code 22.7(18)**.

### Questions on Confidentiality and Open Records

An issue that is frequently raised is if a parent can see the titles checked out on a child's card. Parents, under **Iowa Code 613.16**, are liable for the acts of their children. At the same time, **Iowa Code 22.7 (13)** protects the confidentiality of all library patrons regardless of age. Thus, parents are liable for the acts of their children and yet children are included in the right to have their library records kept confidential. Obviously, libraries are in a difficult position as a result of these two Iowa Code sections.

As noted previously, **Iowa Code 22.7** does allow for discretion on the part of the custodian of the records, who is most often the library director. In other words, the Iowa Code gives the custodian of the records, the library director, the authority to decide whether or not to release library records. If records are requested by a criminal or juvenile justice agency, the library director may release the records only upon receiving a court order.

Some libraries in Iowa will not release the records of a child to a parent under any circumstance. Others will release them in certain situations. To protect intellectual freedom, library boards should err on the side of confidentiality. Releasing the records of a library patron, regardless of age, should be the exception rather than the rule. A parent who wishes to know what a child has checked out has at least two other options besides asking the library director for the child's library records. A parent could simply ask the child what is checked out or require the child to check out materials under the parent's card.

Patron records may be used for purposes of fundraising by Library Friends or Foundation groups as long as the list does not link the customer with the material or information requested, it is an open record and is open to inspection by the general public. However, as noted earlier, this information may also be kept confidential if the library board reasonably believes that releasing the information would discourage people from applying for library cards.

### Gender Balance For Library Boards

*"All appointive boards, commissions, committees, and councils of the state established by the Code, if not otherwise provided by law, shall be gender balanced."* (**Iowa Code 69.16A**)

**Note:** striving for gender balance is a city government obligation because mayors appoint and councils approve library board members. Note that the law allows an exemption if a "good faith effort" has been made for three months to gender-balance appointments.

Your board can and should take a partnership role in helping your city government in this effort. For example, you and the director can develop a list of potential trustees ahead of when vacancies need to be filled. Be sure to include both male and female candidates, then submit your list to the mayor's office.

### Compatibility of Office

Not all possible combinations of public office have been tested in the courts or by the Iowa Attorney General's office. However, the following offices, specifically applying to libraries, are considered incompatible, meaning that one person should not hold both offices at the same time:

- ❖ Council member and library board member
- ❖ City clerk and library board member
- ❖ Mayor and library board member

A person may seek an office position currently incompatible with the office now held if the person gives up the current office upon taking over the new office (based on a 1912 Iowa Supreme Court decision "State v. Anderson" [136 N.W. 128] that addresses compatibility of office).

During your time on the board you may also come across situations that raise questions about conflict of interest. One example is a board member who wants to work as a substitute at the library and be paid. Although it is technically legal (**Iowa Code 362.5**) it is not recommended. Even if the board member abstains from voting on his or her pay, this practice still puts the library director in the position of supervising someone who is actually his or her employer. This could be a very difficult position for the library director if the board member's performance as a substitute is unsatisfactory.

Another example of potential conflict of interest is a board member whose relative is a library staff member. The employee may go around the director to take concerns to the board member when the issue should be resolved by the library director and the employee. Allowing this type of situation to continue undermines the authority of the director.

If you as a trustee are sincerely concerned about a potential conflict of interest, discuss the situation with the full board. Then consider a discussion with the city manager, city attorney, mayor and/or city council. Because to allow a potential conflict of interest to go unresolved could damage the library's credibility in the community for years to come. If you are unable to decide whether or not there is a conflict of interest, unresolved questions can be formally addressed to the Iowa Attorney General's Office by an elected official.

## Board Liability

*“A person who performs services for a municipality or an agency or subdivision of a municipality and who does not receive compensation is not personally liable for a claim based upon an act or omission of the person performed in the discharge of the person's duties, except for acts or omissions which involve intentional misconduct or knowing violation of the law, or for a transaction from which the person derives an improper personal benefit. For purposes of this section, ‘compensation’ does not include payments to reimburse a person for expenses.” (Iowa Code 670.2)*

The legal power of the board comes when the board acts as a body. To guard against potential liability, avoid the following:

- ❖ Acting in excess of authority, i.e. inappropriate expenditures or exceeding budget spending levels
- ❖ Failing to act when action should have been taken, i.e., failure to meet contractual obligations
- ❖ Negligence, i.e., unsafe buildings and grounds, failure to supervise funds
- ❖ Intentional misconduct, i.e., libel, improper discharging of an employee, theft
- ❖ Acting in violation of the law, i.e., authorizing payment of improper expenses, failing to follow proper rules for hiring

## Fair Labor Standards Act (FLSA)

The federal Fair Labor Standards Act (FLSA) establishes standards for basic wages, overtime pay, record keeping, and child labor.

### Basic Wages

Each library employee must be paid not less than the minimum wage. Library employees must be paid for hours worked and may not volunteer time without pay. As of this writing Iowa's minimum wage is \$7.25. For detailed information on Iowa's minimum wage, refer to the [Iowa Department of Workforce Development](#).

### Paying Library Staff During Training

According to Iowa Workforce Development: *“If any such gathering is required by an employer, or if an employer leads its employees to believe they will receive adverse treatment for not attending, the employer must pay its employees for the time spent in attendance.”* (Iowa Workforce Development) This is also a Tier 1 standard addressed in Iowa Public Library Standards. **Standard #23:** *“The library allows the director to participate in continuing education opportunities during their work time.”*

### Overtime Pay

Within the public library are employees who are exempt and those who are non-exempt

from the FLSA regulations; one of the deciding criteria is whether the employee has independent decision-making authority. The director of a public library is usually an exempt employee if he or she directs a staff of at least two. Those employees who do not have independent decision-making authority, even if they have a library science degree, are non-exempt from the FLSA. To determine whether a position is exempt or non-exempt, call the Wage and Hour Division of the **U.S. Department of Labor** Iowa office at 515-284-4625.

Non-exempt employees must be paid overtime at a rate of not less than one and one-half times their regular rates of pay after 40 hours of work in a workweek. A workweek is defined as seven consecutive 24 hour periods, fixed and regularly occurring; each workweek stands alone. Time off may be granted within the workweek if the employee has reached 40 hours before the end of the week. In other words, an employee may work 10 hours each day, four days straight within the workweek without being paid overtime. However, if the employee works 45 hours during one workweek and 35 hours during the next, five hours of overtime must be paid.

For libraries in the public sector, compensatory time may be given in lieu of overtime, but must be given at the rate of “time and a half” to non-exempt employees.

### **Recordkeeping**

The FLSA requires that employers keep records on wages, hours, and other items, as specified in Department of Labor recordkeeping regulations. Most of the information is the kind generally maintained by employers; the records do not have to be kept in any particular form and time clocks need not be used.

### **Child Labor Standards**

Fourteen is the minimum age for library work; youths 14 and 15 years old may work at the library outside of school hours under the following conditions:

- ❖ No more than 3 hours per school day and 18 hours in the school week
- ❖ No more than 8 hours on a non-school day or 40 hours in a non-school week
- ❖ Work may not begin before 7:00 a.m. or continue after 7:00 p.m. except from June 1 through Labor Day when permissible evening hours are extended to 9:00 p.m.

A library may hire youths 16 years of age and older to work unlimited hours within the guidelines of the FLSA.

For more information on FLSA, see the Wage and Hour Division of the **U.S. Department of Labor**.

### **Iowa Gift Law**

*“Except as otherwise provided in this section, a public official, public employee, or*

*candidate, or that person's immediate family member shall not, directly or indirectly, accept or receive any gift or series of gifts from a restricted donor." (Iowa Code 68B.22)*

The library's director and trustees are subject to the Iowa Gift Law. You cannot accept a gift for personal use that has a value of over \$3.00 from anyone who wants to do business with the library. For example, you cannot personally accept a gift from a book salesperson who could sell books to your library. However, if the benefit is available generally, it is not considered a gift. For example, if Baker & Taylor provides book discounts to library staff members in all libraries, it is not considered a gift to an individual employee and does not fall under the Iowa Gift Law.

### **Digital Millennium Copyright Act (DMCA)**

On October 12, 1998, Congress passed the Digital Millennium Copyright Act (DMCA). The law became effective in October 2000 and it has been incorporated into the Copyright Act (Title 17 of the U. S. Code). This landmark legislation updated U.S. copyright law to meet the demands of the Digital Age and to conform U.S. law to the requirements of the World Intellectual Property Organization (WIPO) and treaties that the U.S. signed in 1996. Divided into five "titles," the DMCA is a complex act that addresses a number of issues that are of concern to libraries. Among its many provisions, the Act:

- ❖ Imposes rules prohibiting the circumvention of technological protection measures
- ❖ Sets limitations on copyright infringement liability for online service providers (OSPs)
- ❖ Expands an existing exemption for making copies of computer programs
- ❖ Provides a significant updating of the rules and procedures regarding archival preservation
- ❖ Mandates a study of distance education activities in networked environments
- ❖ Mandates a study of the effects of anti-circumvention protection rules on the "first sale" doctrine

The DMCA provides safe harbor from copyright infringement liability for online service providers. In order to qualify for safe harbor protection, certain online service providers—like public libraries—must designate an agent as the person who will receive notices of copyright infringement.

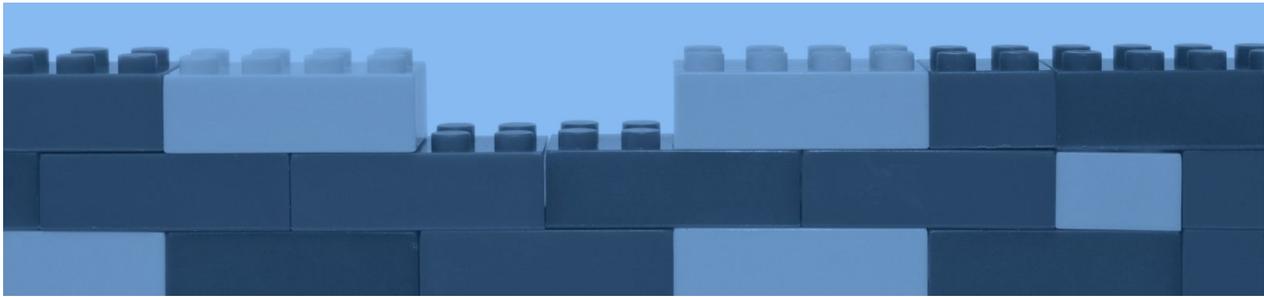
To designate an agent, a service provider must do two things: (1) make contact information for the agent available to the public on its website and (2) provide that same information to the federal copyright office, which maintains a centralized online directory of designated agent contact information for public use. The service provider must also ensure that this information is up to date.

The DMCA License renews for \$6.00 every three years. The license recognizes the public library as a provider of public Internet access and helps to alleviate problems when people illegally download content via the library's computers.

If your library has ever received a "cease and desist" letter from your Internet service provider, you'll appreciate the benefit of this license. It's not uncommon for public libraries to be notified of illegal downloading activity happening on the library's computers, typically by people illegally downloading movies. So this DMCA license indicates that a public library will pledge to curtail illegal use of its public Internet computers and to report the library director (typically) as an "agent."

For more information, see the [\*\*DMCA webpage\*\*](#) on the State Library website.

For answers to other legal questions, refer to the [\*\*Library Law FAQ\*\*](#) developed by the State Library Law Librarian.



## Chapter 14: Public Library Standards

The State Library of Iowa administers the **Standards and Accreditation Program** for Iowa public libraries. This is a voluntary program intended to encourage the ongoing development of quality public library service in Iowa. ***In Service to Iowa: Public Library Standards*** is the manual for the program and can be found on the State Library website.

The Standards program is designed to provide libraries with a tool to identify strengths and areas for improvement. It is also used to document the condition of public library service in Iowa, as the guideline for determining **Direct State Aid** funding (money awarded to public libraries for meeting standards) and to ensure that the State Library meets statutory requirements.

### How Standards Work

**Direct State Aid** funding through the **Enrich Iowa Program** is awarded to any library reaching Tier 1 status or higher. Achievement of standards falls into three distinct Tier Levels: Tiers 1, 2, 3, with Tier 3 being full library accreditation. Currently there are 85 standards within categories such as Library Governance, Library Management, Library Personnel, Library Collections, and more. The funding awarded is based on the Tier level achieved.

Every three years, participating libraries are asked to report on progress toward meeting standards and/or achieving accreditation by completing an application. Providing supporting documentation is also required to accompany the application. Eligibility is based on **Iowa Code 256.57(4)** and **Iowa Administrative Code 286-3.2(2)**.

To be an eligible participant, a library must:

- ❖ Be established as a municipal library by city ordinance or as a county library at least two years previous in accordance with **Iowa Code 336**. A copy of the ordinance must be on file at the State Library.
- ❖ Use **Direct State Aid** funds to improve library services

- ❖ Use **Direct State Aid** fund to supplement, not supplant, any other funding received by the library
- ❖ Participate in the **Open Access** and **Interlibrary Loan Reimbursement** programs
- ❖ Submit a completed **Annual Survey** for the most current fiscal year
- ❖ Submit a completed **Direct State Aid** report for the most current fiscal year
- ❖ Have a current accreditation application on file and meet the following standards:
  - **Tier 1:** To reach Tier 1 status the library must meet all 29 required Tier 1 standards.
  - **Tier 2:** To reach Tier 2 status the library must meet all 29 required Tier 1 standards **plus** an additional 12 standards required at Tier 2.
  - **Tier 3:** (The highest achievement level in the **Accreditation** program.) To reach Tier 3 status the library must meet all standards marked as Tier 1, Tier 2, and Tier 3 at the “minimum required to meet standard” **and** meet 20 of the remaining 38 optional standards.
  - **Note:** A library unable to meet all Tier 1 requirements will be considered **Tier 0** and is ineligible for **Direct State Aid** funding, regardless of how many Tier 2 or Tier 3 standards are met.

If your library participates in the **Standards and Accreditation** program, all trustees should be familiar with the manual and be aware of the standards that impact the work of the board. The category “Library Governance” in the Standards specifically applies to standards regarding library boards. Note that many board-related standards are required at a Tier 1 level, which underscores the vital role of library boards in the success of the library. The category on “Library Management” covers director duties but also includes information that affects trustees.

**State Library Consultants** are available to assist boards in understanding the program and the importance of participation.



## Chapter 15: Intellectual Freedom

### Understanding Intellectual Freedom

The role of a public library in a democratic society is to ensure free and open access to information and materials for all as guaranteed by the First Amendment of the Constitution of the United States. Library boards protect and defend intellectual freedom.

*“Freedom of expression is an inalienable human right and the foundation for self-government. Freedom of expression encompasses the freedom of speech and the corollary right to receive information.”* (American Library Association, Access to Digital Information, Services and Networks.) Librarians and library trustees protect and promote these rights by providing access to information from all points of view.

The **American Library Association** defines intellectual freedom as *“the right of every individual to both seek and receive information from all points of view without restriction. It provides for free access to all expressions of ideas through which any and all sides of a question cause or movement may be explored.”*

Intellectual freedom is based on the First Amendment: *“Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.”*

Intellectual freedom is essential to a democracy because democracy relies on an informed citizenry. If people are restricted from obtaining information from all points of view, their ability to be informed citizens is diminished and thus they cannot exercise self-government.

The American Library Association’s **Library Bill of Rights** is reprinted in the **Appendix**. The *Freedom to Read Statement* and other important intellectual freedom documents are linked as well. It is imperative that library boards read, discuss, and become familiar with intellectual freedom issues and include their endorsement of these principles in library policies.

## A Corollary to Intellectual Freedom is Privacy

*“What people read, research or access remains a fundamental matter of privacy. One should be able to access all constitutionally protected information and at the same time feel secure that what one reads, researches or finds through our Nation’s libraries is no one’s business but their own.”* (American Library Association)

Privacy is guaranteed by the Fourth Amendment to the **U.S. Constitution**: *“The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.”*

## Be Prepared

The selection of library materials is a process strongly related to intellectual freedom. To be prepared to meet challenges to library materials, every local library board should have in place a written collection development policy adopted by the board.

Library staff responsible for developing the collection are selectors, not censors. Selectors believe in the individual’s right to examine and evaluate materials and make personal choices about them; censors believe in examining, evaluating and choosing materials for others. The collection development policy should support the right of all members of the community to have access to a wide range of materials, even if that includes items which some people might find objectionable.

The library director, staff, and board must be familiar with the collection development policy. If there is a challenge to library materials, they must speak with one voice. Two important elements that should be included in a collection development policy are:

- ❖ Selection criteria for all types of resources (print, audiovisual, electronic)
- ❖ Policy on reconsideration of materials and handling complaints

When a censorship attempt occurs, the trustees and staff should keep in mind the following principle: **Don’t defend the item being challenged, defend a person’s right to read it.** When a member of the community complains about an item in the library’s collection, often they just want someone to listen to them and to take their concern seriously. A formal challenge may be averted if the library director takes the time to listen. If your library is faced with a formal challenge, the library board should:

- ❖ Review the library’s collection development policy and the American Library Association’s Bill of Rights and Freedom to Read Statement
- ❖ Explain the collection development policy
- ❖ Take into consideration the rights of the whole community

- ❖ Make a decision consistent with library policies and your principles

### **CIPA Compliance**

An ongoing issue in the area of intellectual freedom is access to information via the Internet. The First Amendment applies to the provision of information in the library including the Internet. In 2003, the U.S Supreme Court ruled that the Children’s Internet Protection Act (CIPA) was constitutional only if the Internet filters required by CIPA could be readily disabled upon the request of adult library users.

### **Assistance With Intellectual Freedom Issues**

Contact the following for help with intellectual freedom issues:

- ❖ The Iowa Library Association provides information on intellectual freedom and support in dealing with censorship challenges. Contact the chair of the Intellectual Freedom Committee. Contact information for the current chair can be found on the [Iowa Library Association website](#).
- ❖ The **American Library Association’s [Office for Intellectual Freedom website](#)** is an excellent resource on these issues.
- ❖ [State Library staff](#) are available for consultation on intellectual freedom issues.

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***“If this nation is to be wise as well as strong... then public libraries should be open to all except the censor. Let us welcome controversial books and controversial authors. For the Bill of Rights is the guardian of our security as well as our liberty.”***

John F. Kennedy

**Sample Public Library Request for Reconsideration of Material Form** [\[Printable PDF\]](#)

The trustees of Mainstream Public Library have established a materials selection policy and a procedure for gathering input about particular items. Completion of this form is the first step in that procedure. If you wish to request reconsideration of a resource, please return the completed form to the library director.

Mainstream Library, 1 Mainstream Plaza, Anytown, State Zip

Date \_\_\_\_\_ Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State/Zip \_\_\_\_\_

Phone \_\_\_\_\_ Email \_\_\_\_\_

Do you represent self? \_\_\_ Or an organization? \_\_\_ Name of Organization \_\_\_\_\_

1. Resource on which you are commenting:

Book (e-book)     Movie     Magazine     Audio Recording

Digital Resource     Game     Newspaper     Other

Title \_\_\_\_\_

Author/Producer \_\_\_\_\_

2. What brought this resource to your attention?

\_\_\_\_\_

3. Have you examined the entire resource? If not, what sections did you review?

\_\_\_\_\_

4. What concerns you about the resource?

\_\_\_\_\_

5. Are there resource(s) you suggest to provide additional information and/or other viewpoints on this topic?

\_\_\_\_\_

6. What action are you requesting the committee consider?

\_\_\_\_\_



## Chapter 16: Library Buildings

Library boards need to be aware of the laws that affect the existing library building.

### Library Meeting Rooms

The library board is charged with responsibility for the library, including meeting rooms. The major decision to be made in this area is whether to allow meeting rooms to be used only for library programs or to open them up to community groups. A federal court ruling in 1989 (*Concerned Women for America, Inc. v. Lafayette County*, 883 F.2d 32) defined library meeting rooms used by the public as public forums in which constitutionally guaranteed free speech is allowed. This means that if a library meeting room is open to one public group, it must be open to all public groups. The library board may make rules on the times that the meeting room can be used, how much to charge for the room(s) and the manner of use of the room(s) but not which groups can use the room(s) if open to all public groups.

Another law applying to library meeting rooms states that meeting rooms must allow a precinct caucus to be held in the library. In part, the section states that “...upon the application of the county chairperson, the person having control of a building supported by taxation under the laws of this state shall make available the space necessary to conduct the caucus without charge during presidential election years and at a charge not greater than that made of its use by other groups during other years...” (**Iowa Code 43.93**).

### Occupational Safety and Health Act (OSHA)

OSHA is within the U.S. Department of Labor; its mission is to protect the health of Americans in the workplace. For detailed information the act at the federal level, refer to the **OSHA website**. For more information about library staff health and safety at the state and local level, refer to the **Iowa Division of Labor Services**.

### Building and Renovation Projects

When embarking on capital planning of any kind, the board and director should familiarize themselves with city, county, or state laws that will supersede anything

addressed within this section of the Trustee's Handbook.

### **Capital Improvement Projects**

Capital improvement plans, also known as CIPs, vary in scope. Relatively small projects that are not part of a major renovation and do not involve new construction require a plan that, at a minimum, lists identified supplies/materials, estimated costs, and an anticipated timeline for completion. Projects qualifying as capital improvements can include furnishings and equipment (including computer hardware and software) roof replacement, new HVAC systems, and other renovations such as installing an elevator or an exterior ramp.

Large projects such as new construction, major additions to the existing building, or major renovations of a portion of the building require a detailed capital plan and account for the second type of CIP. Large capital improvement projects will be discussed in the remainder of this chapter.

As trustees face the challenges of planning library services for the future, increased space and additional locations may become a major consideration. Boards must decide whether to build a new facility, renovate or expand current facilities, or find an existing space to be converted into a library. Construction plans should be considered in the context of the total library plan. Trustees need to study community needs, explore alternatives, identify potential funding sources, and establish priorities. Most planning processes will lead to the identification of a probable date when new library facility should be in operation.

### **New Construction**

While construction of a new building may be the best answer, it may not always be the most feasible answer. New construction should be measured against other options, i.e. purchasing an existing building, leasing an existing building, remodeling the current building, adding an addition to the current building, or in some cases adding branches. Depending on the library and its services, the addition of a bookmobile or other outreach techniques may be considered in expansion plans.

### **Americans with Disabilities Act (ADA)**

Libraries are subject to the ADA, including assuring that persons with disabilities can use the services of the library. A library being built or remodeled must be constructed without obstructions to a person with a disability. Questions about specific building requirements should be addressed to the office of the State Fire Marshal in the Iowa Department of Public Safety at 515-725-6170, or find more information on the **State Fire Marshal** website. More information about the Americans with Disabilities Act is available on the **United States Department of Justice** website at [www.ada.gov](http://www.ada.gov).

## Combined School -- Public Libraries

Although there are a few combined library facilities in Iowa, nearly every community considers, at least briefly, the feasibility of a combined school and public library facility. Such libraries are typically housed in a single facility and ideally, they should provide both the curriculum support functions of the school library and the service functions of the public library for the community.

If your community considers a combined school and public library, be aware that:

- ❖ There are significant obstacles inherent in combining libraries, as evidenced by the fact that only a handful of such libraries exist in Iowa and the surrounding states.
- ❖ While operating joint libraries is often seen as a way for cities and school districts to save money, per capita expenditures have actually increased in the last five Iowa communities where school and public libraries combined.
- ❖ Based upon data collected by the State Library of Iowa, combined libraries are much less likely to meet public library accreditation standards to qualify for Direct State Aid.

To assist Iowa communities in making informed decisions on whether to combine school and public library facilities, we recommend contacting your **District Consultant** for further guidance.

## Outside Expertise

Because a library board and staff will not have the necessary expertise to deal with all aspects of a building project, outside consultants may be used to provide specialized guidance. They can advise on square footage estimates, help prevent mistakes, introduce new ideas, and sometimes defuse controversy. Some types of consultants whose services may be needed are: library building consultant, automation consultant, attorney, architect, certified public accountant, and State Library consultant. Building and renovation projects are complex, time consuming, and must be included in a city's capital improvement planning. Find more information on the State Library website's **Library Building Projects** webpage.

## Architect Requirement for Designing a Public Library

In Iowa, a registered architect is required to perform the design of a public library. A library is considered a building for "governmental use." See **Iowa Code Chapter 544A** Registered Architects, and title **193B of the Iowa Administrative Code**. Refer to **Iowa Code Section 544A.16** for definitions and to **Section 544A.18** for exceptions. Questions about registered architects may be addressed to the **Iowa Professional Licensing**

**Bureau**, 515-281-7362 or visit the agency's website.

### **Construction Bidding Procedures Act**

The Construction Bidding Procedures Act, enacted by the Iowa Legislature in 2006 for all contracts entered into by public owners on or after January 1, 2007, represents the most comprehensive rewrite of Iowa's competitive bidding laws. The legislation can be found in **Iowa Code Chapter 26**.

The act applies to "government entities" defined to include cities/libraries. **Iowa Code section 26.2** defines "public improvement" as *"a building or construction work which is constructed under the control of a governmental entity and is paid for in whole or in part with funds of the governmental entity..."*

The formal competitive bidding procedure is applicable to public improvements with an estimated cost exceeding \$100,000. There are several distinct steps in the competitive bidding process. Some of the required steps may occur behind the scenes, while other steps must be taken in public after public notice and after the public has been given the opportunity to address the governing body concerning the proposed public improvement. Any library planning construction of a library building or other "public improvement" should review this legislation.



# APPENDIX

## Sample City-Library Ordinance

AN ORDINANCE TO (ESTABLISH A PUBLIC LIBRARY AND) TO PROVIDE FOR THE APPOINTMENT, POWERS AND DUTIES OF A BOARD OF LIBRARY TRUSTEES.

Be it Enacted by the Council of the City of \_\_\_\_\_, Iowa:

SECTION 1. PURPOSE. The purpose of this ordinance is to provide for the (establishment of a free public library for the city and for the) creation and appointment of a city library board of trustees, and to specify that board's powers and duties.

SECTION 2. PUBLIC LIBRARY. There is hereby established a free public library for the city, to be known as the \_\_\_\_\_ Public Library.

SECTION 3. LIBRARY TRUSTEES. The board of trustees of the \_\_\_\_\_ Public Library, hereinafter referred to as the board, consists of \_\_\_\_\_ members. All (residents) board members are to be appointed by the mayor with the approval of the council. (The nonresident member shall be appointed by the mayor with the approval of the board of supervisors.)

SECTION 4. QUALIFICATIONS OF TRUSTEES. All of the members of the board shall be bona fide citizens and residents of the city (except the nonresident member), and all shall be over the age of eighteen (18).

SECTION 5. ORGANIZATION OF THE BOARD.

1. Terms of office. All appointments to the board shall be for six (6) years, except to fill vacancies. Each term shall commence on July 1st. Appointments shall be made every two (2) years of one-third the total number as near as possible, to stagger the terms. (The present incumbents are confirmed in their appointments and terms.)

2. Vacancies. The position of any trustee shall be vacant if he moves permanently from the city (or county in the case of a nonresident county member); or if he is absent from

six (6) consecutive regular meetings of the board, except in the case of sickness or temporary absence from the city. Vacancies in the board shall be filled by appointment of the mayor, with approval of the council or the board of supervisors in the case of the nonresident member, and the new trustee shall fill out the unexpired term for which the appointment is made.

3. Compensation. Trustees shall receive no compensation for their services.

SECTION 6. POWERS AND DUTIES. The board shall have and exercise the following powers and duties:

1. To meet and elect from its members a president, a secretary, and such other officers as it deems necessary. The (city treasurer) shall serve as board treasurer, but shall not be a member of the board.

2. To have charge, control and supervision of the public library, its appurtenances, fixtures and rooms containing the same.

3. To direct and control all the affairs of the library.

4. To employ a librarian, and authorize the librarian to employ such assistants and employees as may be necessary for the proper management of the library, and fix their compensation; provided, however, that prior to such employment, the compensation of the librarian, assistants and employees shall have been fixed and approved by a majority of the members of the board voting in favor thereof.

5. To remove by a two-thirds vote of the board the librarian and provide procedures for the removal of assistants or employees for misdemeanor, incompetency or inattention to duty.

6. To authorize the librarian to select and make purchases of books, pamphlets, magazines, periodicals, papers, maps, journals, other library materials, furniture, fixtures, stationery and supplies for the library within budgetary limits set by the board.

7. To authorize the use of the library by nonresidents of the city and to fix charges therefor.

8. To make and adopt, amend, modify or repeal rules and regulations, not inconsistent with ordinances and the law, for the care, use, government and management of the library and the business of the board, fixing and enforcing penalties for violations.

9. To have exclusive control of the expenditure of all funds allocated for library purposes by the council, and of all moneys available by gift or otherwise for the erection of library buildings, and of all other moneys belonging to the library including fines and rentals collected, under the rules of the board.

10. To accept gifts of real property, personal property, or mixed property, and devises and bequests, including trust funds; to take the title to said property in the name of the library; to execute deeds and bills of sale for the conveyance of said property; and to expend the funds received by them from such gifts, for the improvement of the library.

11. To keep a record of its proceedings.

12. To enforce the performance of conditions on gifts, devises and bequests accepted by the city by action against the city council.

13. To have authority to make agreements with the local county historical associations, where such exist, and to set apart the necessary room and to care for such articles as may come into the possession of the association. The trustees are further authorized to purchase necessary receptacles and materials for the preservation and protection of such articles as are in their judgment of a historical and educational nature and pay for the same out of funds allocated for library purposes.

#### SECTION 7. POWER TO CONTRACT WITH OTHERS FOR THE USE OF THE LIBRARY.

1. Contracting. The board may contract with any other boards of trustees of free public libraries of any other city, school organization, institution of higher learning, township, or county, or with the trustees of any county library district for the use of the library by their respective residents.

2. Termination. Such a contract may be terminated at any time by mutual consent of the contracting parties. It also may be terminated by a majority vote of the electors represented by either of the contracting parties. Such a termination proposition shall be submitted to the electors by the governing body of a contracting party on a written petition of not less than five (5) per cent in number of the electors who voted for governor in the territory of the party at the last general election. The petition must be presented to the governing body not less than forty (40) days before the election. The proposition may be submitted at any election provided by law that is held in the territory of the party who is seeking to terminate the contract.

#### SECTION 8. NONRESIDENT USE OF THE LIBRARY.

The board may authorize the use of the library by nonresidents in any one or more of the following ways:

1. By lending books or other materials of the library to nonresidents on the same terms and conditions as to residents of the city, or upon payment of a special nonresident library fee.

2. By establishing depositories of library books or other materials to be loaned to

nonresidents.

3. By establishing bookmobiles or a traveling library so that books or other library materials may be loaned to nonresidents.

4. By establishing branch libraries for lending books or other library materials to nonresidents.

#### SECTION 9. LIBRARY ACCOUNT.

All money appropriated by the council from the general fund for the operation and maintenance of the library shall be set aside in an account for the library. Expenditures shall be paid for only on orders of the board, signed by its president and secretary. The warrant writing officer is the (city clerk, city finance officer, board secretary, librarian).

#### SECTION 10. ANNUAL REPORT.

The board shall make a report to the city council immediately after the close of the municipal fiscal year. This report shall contain statements of the condition of the library, the number of books added thereto, the number circulated, the amount of fines collected, and the amount of money expended in the maintenance of the library during the year, together with such further information required by the council.

#### SECTION 11. REPEALER.

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

#### SECTION 12. SEVERABILITY CLAUSE.

If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part not adjudged invalid or unconstitutional.

#### SECTION 13. WHEN EFFECTIVE.

This ordinance shall be in effect after its final passage, approval and publication as provided by law.

Passed by the Council on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_ ,

and approved this \_\_\_\_\_ day of \_\_\_\_\_ , 20\_\_

\_\_\_\_\_ Mayor

Attest: \_\_\_\_\_ Clerk

## Sample Agenda Template

Anytown Public Library  
Board Meeting  
Date: | Time:  
Library Meeting Room

**(Note:** these are sample agenda items. When preparing an actual agenda, provide enough detail under each item so that members of the public would clearly understand what the board was going to discuss.)

- I. Call to Order
- II. Agenda Approval
- III. Minutes Approval
- IV. Financial Report, Including Expense Approval
- V. Public Comment
- VI. Correspondence
- VII. Unfinished Business
- VIII. New Business
- IX. Reports:
  - A. Board Committees
  - B. Board Education Reports
  - C. Director & Staff
  - D. Statistics
  - E. Others
- X. Agenda Items for Next Meeting
- XI. Upcoming Meetings
- XII. Adjourn

## Sample Bylaws

### I. NAME AND PURPOSE

- A. The Sunlight Public Library Board of Trustees, hereafter referred to as the Board.
- B. The Board will comply with the Iowa Code in all questions of library law and governance and will further comply with the regulations set forth in the city's library ordinance. The Board's specific powers and duties are set forth in the library ordinance.

### II. BOARD MEETINGS

- A. The Board shall meet on the last Wednesday of every month (excluding December) at 5:30PM in the Sunlight Public Library's conference room.
- B. A quorum shall consist of 4 members (from its total membership of 7 trustees)
- C. The Board shall comply with Iowa's Open Meetings law by printing and publicly posting a copy of its agenda 24 hours prior to the meeting.
- D. The Board shall record its proceedings as minutes and shall keep copies of the minutes available for public inspection.
- E. The Director of the Sunlight Public Library shall be present and participating at each meeting of the Board.
- F. The Board will conduct its meetings according to parliamentary procedure as detailed in the latest edition of Robert's Rules of Order.

### III. OFFICERS AND COMMITTEES

- A. Officers shall be the Board president, vice president, and secretary and shall be elected at the annual meeting in July.
- B. The president shall preside at all meetings, appoint all committees, and generally perform all duties associated with the office. In the absence of the president, the vice president shall assume the president's duties. The secretary shall record all proceedings of the Board.
- C. Committees shall consist of the following: Personnel Committee, Budget & Finance Committee, Public Relations Committee. The president as needed shall appoint ad hoc committees.
- D. Each committee shall act in an advisory capacity and shall report its recommendations to the full Board.

### IV. MAJOR FUNCTIONS

For a detailed look at the powers and duties of the library board, refer to your local city-library ordinance. In addition to what is found in the ordinance, boards should also:

- A. Hire the library director; set salaries and benefits for library personnel

- B. Develop and approve the annual operating budget; secure adequate financial support for the library's operations and services
- C. Set policies for library operations and services
- D. Plan for the library's future
- E. Evaluate service and advocate for advancements
- F. Ensure library director, staff, and trustees participate in education and training
- G. Ensure participation in meeting public library service standards

V. AMENDMENTS

These bylaws may be amended at any meeting of the Board with a quorum present, by a unanimous vote of the members present.

DATE REVISED: \_\_\_\_\_

## Sample Trustee Orientation Outline

The board president (or library director or other board designee) should contact new trustees to welcome them to the board and schedule an orientation. Immediately send any new trustee a packet that includes:

- ❖ Bylaws of the board
- ❖ A list of board members, indicating terms of office and board officers
- ❖ Board committee membership lists
- ❖ Calendar of upcoming meetings
- ❖ A copy of this Handbook

The orientation should include a tour of the library with the director to introduce staff and to discuss library programs and services. Schedule a meeting/discussion with the library director and at least one other trustee to help new trustees become familiar with:

- ❖ The library ordinance including the board's duties and powers and how board members are appointed
- ❖ Sources of library funding
- ❖ How the library is operated day to day
- ❖ The library's website
- ❖ How the library serves the needs of the community including the library's mission statement
- ❖ How the library could better serve the community
- ❖ The board's relationship to the library director, the library staff, and the city
- ❖ How the library is linked to other resources, other libraries, and the State Library of Iowa
- ❖ Recent library accomplishments
- ❖ Expectation for ongoing trustee education
- ❖ Any immediate problems the library faces

Later, share the following items with new trustees:

- ❖ Latest annual report
- ❖ Long-range/strategic plan and progress to date

- ❖ Technology plan
- ❖ Library policies
- ❖ Current and previous year's budgets
- ❖ Board meeting minutes for the previous six months
- ❖ Director's reports for the previous six months
- ❖ Director's job description and the process used to evaluate the library director
- ❖ Latest monthly statistical report and financial report
- ❖ Organizational chart of the library staff with names and titles
- ❖ Library board's annual calendar, including deadlines
- ❖ Copy of *In Service to Iowa, Public Library Standards*

## Individual Library Trustee Assessment

*(For individual use; typically not shared with others.)*

### **Check all statements that apply to you as an individual trustee:**

- 1. I understand that the city-library ordinance outlines board structure and authority.
- 2. I am familiar with the library's strategic plan.
- 3. I am familiar with laws that apply to Iowa libraries.
- 4. I am familiar with the board's bylaws.
- 5. I am familiar with library policies.
- 6. I understand there are service standards for Iowa public libraries.
- 7. I know about the State Library of Iowa and its programs and resources.
- 8. I attend board meetings regularly.
- 9. I am available to serve on committees and willing to serve as an officer as needed.
- 10. I come to meetings having already read the information relevant to that meeting.
- 11. I understand and am comfortable with the board's decision-making process.
- 12. I willingly abide by majority board decisions and support them publicly.
- 13. I treat other board members with respect and listen openly to their opinions.
- 14. I understand and respect the different roles/duties of the library director, the board, and the city.
- 15. I know the library staff by name and job position.
- 16. I understand my role to work with the director but not micromanage staff.
- 17. I encourage and support the director in achieving library goals.
- 18. I visit my library frequently enough to be familiar with services and to identify potential needs.
- 19. I am a member of a local community group or organization.
- 20. I advocate on behalf of the library to civic groups and community organizations.
- 21. I attend city council meetings and advocate on behalf of the library.
- 22. I keep abreast of legislation and the impact it has on the library community.
- 23. I have established a relationship with my local and state representatives and discuss library issues with them advocating for their support.
- 24. I belong to a state or national library organization (ILA, ALA, United For Libraries, etc).
- 25. I have attended ILA's Legislative Day in the past two years.
- 26. I have participated in ILA's Lobby From Home Day event in the past two years.
- 27. I subscribe to State Library newsletters like Monday Morning Eye-Opener.
- 28. I read national library organization newsletters and publications.
- 29. I have attended at least two library programs in the last year.
- 30. I have participated in board education programs in the past year.

(If each box checked represents 5 points – all boxes checked equals 150 points)

*Attribution: State Library of Iowa*

## Full Library Board Assessment

**Instructions:** Discuss each point collectively and come to a rating consensus. Consider the areas of overall board strength, consider the areas that need improvement. Rank the following statements with **1** being “no/never,” **2** being “sometimes,” and **3** being “always.”

Statement	1	2	3
The board has a process for the recruitment and recommendation of people for open positions when vacancies occur.			
The board has a process for new trustee orientation.			
The board stays abreast of the financial status of the library and its funding sources.			
The board sets the direction for the library through strategic planning.			
The board uses the planning document to inform decision-making.			
The board reviews and adopts a budget that reflects the current strategic plan.			
The board evaluates the library director annually based on a written job description.			
The board feels free to communicate problems to the director in a timely manner.			
The board is familiar with state and federal laws governing libraries.			
The board has established bylaws to oversee its governance.			
The board has established clear policies to govern and guide library operations.			
The board continually reviews and updates the library’s policies.			
The board safeguards the public’s First Amendment and Intellectual Freedom rights by protecting freedom of access, while also being open to the public’s comments.			
The board is aware of patron privacy protections under the Iowa Code and ensures that its policies are consistent with the law.			
The board is representative of the community it serves.			
The board is politically active, advocating for libraries in the public policy arena.			
The board annually assesses its own performance.			
The board receives or shares information needed to make informed decisions in a timely manner.			
The board allows time at each meeting for discussion of emerging issues and trends.			
The board encourages open discussion and expression of dissenting opinions during board meetings.			
The board speaks with one voice after a vote is taken.			
The board recognizes and thanks staff and volunteers for their efforts.			
The board embraces a culture of learning for themselves and staff.			
<b>TOTAL</b>			

*Attribution: State Library of Iowa*

## Checklist for Tech Savvy Trustees

(For individual board member use.)

Statement	Yes	No	Not Yet
I can access my email on the web.			
I am an active Facebook user.			
I am active on other social media platforms.			
I use a laptop, tablet, iPad, or smartphone.			
I use Bridges for eBooks or downloadable audiobooks.			
I use cloud storage.			
I have attended a library-related webinar this year.			
The library has web conferencing software for online meetings or programs (Zoom, GoToMeeting, WebEx).			
I receive the <i>Monday Morning Eye Opener</i> (MMEO) via email.			
I have visited the State Library's website.			
I have visited the United for Libraries website.			
My library provides wireless Internet access.			
My library electronically tracks wireless usage.			
My library uses a live Chat service.			
Our job descriptions reflect updated technology skills.			
We see demonstrations of technology products used by the library at board meetings.			

*"Toward Tech Savvy Trustees"*  
 Attribution: Bonnie McKewon

## Code of Ethics

As a public library board member, you are a public servant. The public expects that your conduct will always be above question and for the public good, not for your own interest or another special interest. **United for Libraries: Association of Library Trustees, Advocates, Friends and Foundations** has adopted the following statement on ethics which your board may want to adopt.

### **PUBLIC LIBRARY TRUSTEE ETHICS STATEMENT**

*Official Statement from United for Libraries*

Public library Trustees are accountable for the resources of the library as well as to see that the library provides the best possible service to its community. Every Trustee makes a personal commitment to contribute the time and energy to faithfully carry out his/her duties and responsibilities effectively and with absolute truth, honor and integrity.

- ❖ Trustees shall respect the opinions of their colleagues and not be critical or disrespectful when they disagree or oppose a viewpoint different than their own.
- ❖ Trustees shall comply with all the laws, rules and regulations that apply to them and to their library.
- ❖ Trustees, in fulfilling their responsibilities, shall not be swayed by partisan interests, public pressure or fear of criticism.
- ❖ Trustees shall not engage in discrimination of any kind and shall uphold library patrons' rights to privacy in the use of library resources.
- ❖ Trustees must distinguish clearly in their actions and statements between their personal philosophies and attitudes and those of the library, acknowledging and supporting the formal position of the Board even if they disagree.
- ❖ Trustees must respect the confidential nature of library business and not disclose such information to anyone. Trustees must also be aware of and in compliance with Freedom of Information laws
- ❖ Trustees must avoid situations in which personal interests might be served or financial benefits gained as a result of their position or access to privileged library information, for either themselves or others.
- ❖ A Trustee shall immediately disqualify him/herself whenever the appearance of or a conflict of interest exists.
- ❖ Trustees shall not use their position to gain unwarranted privileges or advantages for themselves or others from the library or from those who do business with the library.
- ❖ Trustees shall not interfere with the management responsibilities of the director or

the supervision of library staff.

- ❖ Trustees shall support the efforts of librarians in resisting censorship of library materials by groups or individuals.

Signature\_\_\_\_\_Date\_\_\_\_\_

*Approved by the United for Libraries Board in January 2012*

It will also help your library function effectively if you:

- ❖ Recognize that all authority is vested in the board when it meets in legal session and not with individual board members.
- ❖ Represent the whole community to the library and not just a particular area or group.
- ❖ Are objective in hiring the library director.
- ❖ Don't promise prior to a meeting how you will vote on a particular issue.

## ALA Intellectual Freedom Documents

ALA provides many resources surrounding intellectual freedom and the importance of libraries upholding freedom's ideals. Included here is the foundational intellectual freedom document written in 1938 by Forrest Spaulding, then Director of Des Moines Public Library: the **Library Bill of Rights**.

To access more intellectual freedom documents including, The Freedom to Read, Use of Public Library Meeting Rooms, Display and Exhibit Spaces, First Amendment and Censorship, and more, visit the [\*\*ALA Office of Intellectual Freedom\*\*](#) website.

### 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 resources 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, age, 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 abridgment of free expression and free access to ideas.
- V. A person's right to use a 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.
- VII. All people, regardless of origin, age, background, or views, possess a right to privacy and confidentiality in their library use. Libraries should advocate for, educate about, and protect people's privacy, safeguarding all library use data, including personally identifiable information.

*Adopted June 18, 1948. Amended by the ALA Council February 2, 1961, June 27, 1967, January 23, 1980, January 29, 2019. Inclusion of "age" reaffirmed January 23, 1996.*

## Services and Programs from the State Library of Iowa

The following is a summary of the primary services, programs, and resources provided by the State Library. All Iowa public library boards are encouraged to participate in these programs. For more information on any of these, visit the [State Library website](#).

**ANNUAL SURVEY:** The collection tool used to gather a variety of yearly data from public libraries in Iowa including income, expenditures, circulation, programming, collections, and many others. The survey is a prerequisite for participation in the Direct State Aid program. Also known as the Iowa Public Library General Information Survey. Data collected in Iowa with this survey is used at the federal level through the IMLS Public Library Survey program.

**BOLD360 CHAT:** Bold360 Agent is a live chat program that allows library patrons to engage in a virtual chat with librarians through a chat window deployed on a library's website. This service is provided by the State Library to Iowa public libraries at no cost.

**BRAINFUSE:** Brainfuse JobNow and VetNow are online resources for career services, test prep, software tutorials, and Veteran services including live support during limited hours. This service is free for all public libraries in Iowa.

**BRIDGES:** The ebook, audiobook, and streaming video buying consortium for Iowa public libraries. The State Library facilitates the program and manages the contract with Overdrive, Inc. on behalf of the participating libraries. Libraries that participate in Bridges pay an annual formula-based fee to the State Library that covers the Overdrive platform fee, materials budget, and the purchase of MARC records.

**CONSULTING:** State Library consulting staff advise on a host of issues affecting libraries, including providing advice and direction on library management for directors and staff, as well as library governance for boards. Consultants in six district offices facilitate learning opportunities via county meetings, roundtables, and webinars.

**CONTINUING EDUCATION:** Provides in-person and online learning opportunities for library trustees, directors, and staff. Catalog of current continuing education offerings is available in IA Learns.

**DISCOUNTS FOR LIBRARIES:** State-negotiated discounts on products and office supplies in cooperation with AEA Purchasing.

**ENDORSEMENT ACADEMY:** The State Library-sponsored training program for Iowa library directors and staff. The programs are intended to improve library service in Iowa by developing the skills of public library directors and staff, provide recognition for public librarians, enhance the public image of librarians and libraries, and provide guidelines that public library boards may use in developing staff hiring policies.

**ENRICH IOWA:** Enrich Iowa consists of three programs to aid libraries in offering

improved service to Iowans. The State Library administers funding to libraries appropriated annually by the Iowa Legislature. Enrich Iowa includes:

- **Direct State Aid** for public libraries is intended to improve library services and reduce inequities among communities. Funding is awarded for meeting public library service standards.
- **Open Access** for public and academic libraries enables eligible Iowans to check out physical materials from over 600 participating libraries, thereby providing them with direct access to more materials and information resources.
- **Interlibrary Loan Reimbursement** provides Iowans with equal access to library resources by encouraging and supporting interlibrary loan among all types of libraries. Participating libraries agree to loan their materials to other libraries for use by their customers and receive a subsidy per loan.

**E-RATE:** The federal Schools and Libraries program, also known as the "E-Rate program," makes Internet service more affordable for schools and libraries in America. Congress mandated in 1996 that the Federal Communications Commission (FCC) use the federal Universal Service Fund to provide support to companies that give discounts to eligible schools and libraries. Contributions from telecommunications companies provide discounts of 50-90% on the cost of Internet access, and network wiring within library and school buildings.

**IA LEARNS:** A learning management system that provides users with individualized transcripts, the Continuing Education Catalog of upcoming education offerings, archived webinars, and self-paced courses. IA Learns is the location for Director and Staff Endorsement courses.

**IA SHARES:** Statewide delivery system for public libraries for sending and receiving library materials between libraries and the State Library. The service is provided by the State Library at no cost to public libraries.

**ILOC (Innovative Libraries Online Conference):** An online annual conference held in January for the Iowa library community. Keynote and concurrent sessions throughout the day and evening cover topics of interest to Iowa librarians and trustees.

**IOWA CENTER FOR THE BOOK:** Founded in 2002, the Iowa Center for the Book mission is to stimulate public interest in books, reading, literacy and libraries. Offers the All Iowa Reads program for adults, teens, and kids, encouraging Iowans to come together in their communities to read and talk about a single book title in the same year.

**IOWA HERITAGE DIGITAL COLLECTIONS:** A resource for students, educators, historians, genealogists, and anyone else interested in the people, places and institutions of Iowa. The site provides free access to digital collections from a variety of Iowa cultural institutions.

**JOB LIST:** Advertises open positions in Iowa libraries and nationwide, free to post on the

State Library website.

**LAW LIBRARY:** The Iowa Law Library on the second floor of the Capitol building is managed by the State Library. Law Library staff answer reference requests and assist in locating legal information.

**LIBRARY LAW FAQs:** Developed by the Law Librarian, provides answers to frequently asked questions regarding library law and legal topics for libraries.

**LIBRARY SCIENCE COLLECTION:** Special collection of materials within the State Library collection on library science topics of interest to library directors, staff, and trustees; available to borrow through interlibrary loan.

**LIBRARY TALK:** An online discussion forum for the Iowa library community, allowing participants to discuss library topics, ask questions, and buy and sell library materials. Subscribers have the option to receive messages posted to the list via email.

**LOCATOR:** A statewide catalog of materials owned by libraries in Iowa, available on SILO.

**LSTA:** The Library Services and Technology Act (LSTA) authorizes federal aid for state library agencies. Through the Grants to States program, the Institute of Museum and Library Services (IMLS) provides federal LSTA funds to the State Library of Iowa using a population-based formula. In Iowa, LSTA funds are used primarily to support statewide library development initiatives and services such as summer library program; developing the skills of Iowa library directors and staff to serve Iowans; statewide access to online reference databases; SILO interlibrary loan; the Iowa Center for the Book; and standards for public libraries.

**MONDAY MORNING EYE OPENER (MMEO):** Weekly email news bulletin published by the State Library with news, trends, and reminders for program deadlines.

**NEW DIRECTOR ORIENTATION:** Provides support and professional development for new library directors. District consultants contact newly hired library directors to welcome them and to schedule initial introductory meetings, either in person or online.

**OCLC:** A nonprofit membership organization offering computer-based services to libraries, other-educational organizations, and their users. The OCLC Online Union Catalog is the world's largest and most comprehensive database of bibliographic information, with over 28 million items. This shared database supports cataloging and interlibrary loan. The State Library offers this service for Iowa public libraries.

**ONLINE RESOURCES:** A variety of digital resources, utilities, and subscriptions are available to libraries either free or on a cost-share basis, providing assistance with library information services.

**PLOW (Putting Libraries on the Web):** PLOW is a program of the State Library that provides free website hosting and email service to approximately 300 Iowa public libraries.

**PUBLIC LIBRARY STATISTICS:** Published annually from data collected through the Public Library Annual Survey. These statistics are useful in comparing library activity and usage from year to year, in comparing with other libraries of similar size, and in accessing statistics to support budget requests.

**SILO (State of Iowa Libraries Online):** SILO is a joint program of the State Library and Iowa State University. SILO offers resource sharing services, including the Iowa Locator and SILO Interlibrary Loan to all types of libraries in Iowa. SILO also provides DNS, e-mail, and web hosting at no cost to any public library with a high-speed Internet connection.

**SPACE UTILIZATION GRANTS:** The State Library allocates LSTA funds to provide Iowa public libraries consulting on space utilization. These grants pay for professional advice from impartial consultants who provide guidance and recommendations to library staff, city officials and the community about use of existing space. Grants of up to \$3,000 will be awarded as funds are available. A library may only receive one library utilization grant.

**STANDARDS AND ACCREDITATION PROGRAM:** A State Library program encouraging the ongoing development of quality public library services in Iowa. Iowa's voluntary public library standards program was established to give public libraries a tool to identify strengths and areas of improvement, to document the condition of public library service in Iowa, to set Tier levels to determine base Direct State Aid funding, and to meet statutory requirements.

**STATE DATA CENTER:** The official source for U.S. census statistics about Iowa such as population, housing, agriculture, business, industry and government. The Center answers census related questions and provides publications and data products on the website.

**WHOFI:** WhoFi Library Edition is a usage counter provided by the State Library at no cost to Iowa public libraries to monitor and track the number of devices on a wireless network. Usage statistics automatically populate in the Annual Survey.

**YOUTH SERVICES:** Provides programs, services, and training to help Iowa libraries provide the best possible service to children and youth; including the annual Summer Library Program; workshops and conferences such as Kids First; early literacy activities; and consulting services.

## **Library Associations**

Being familiar with and becoming involved in state and national library associations will help you be an effective trustee. Here are some library associations at the state and national levels that you can learn more about:

### **Iowa Library Association**

The Iowa Library Association (ILA) is the professional association for librarians, trustees and interested persons in Iowa. ILA sponsors an annual conference in the fall and supports a lobbyist to represent library legislative interests at the state level. The committees and subdivisions of ILA offer an opportunity to be involved in library activities and issues beyond your own library.

### **Association for Rural and Small Libraries (ARSL)**

The Association for Rural & Small Libraries Inc, is a network of persons throughout the country dedicated to the positive growth and development of libraries. ARSL believes in the value of rural and small libraries and strives to create resources and services that address national, state, and local priorities for libraries situated in rural communities.

### **American Library Association**

The American Library Association (ALA) is the national association for librarians, trustees and others interested in library concerns. ALA sponsors national conferences every summer and winter, and publishes books and journals on professional issues, including its news journal, American Libraries. The Washington Office of ALA advocates for libraries on national library-related issues and concerns.

### **Public Library Association**

The Public Library Association (PLA) is the division of ALA which enhances the development and effectiveness of public library staff and public library services. PLA sponsors its own national conferences in even numbered years as well as programs at ALA conferences

### **United for Libraries: The Association of Library Trustees, Advocates, Friends and Foundations**

United for Libraries is a national network of library supporters who believe in the importance of libraries as the social and intellectual centers of communities and campuses. No one has a stronger voice for libraries than those who use them, raise money for them, and govern them. By uniting these voices, library supporters everywhere will become a real force to be reckoned with at the local, state, and national levels.