

INTRODUCTION

Since the Office of Library and Information Services published the first Rhode Island trustees manual in 1980, Rhode Island public libraries have continued to respond to an ever increasing demand for service. In so doing, they consistently have taken advantage of new opportunities to provide this service more efficiently and effectively via technology, cooperative networks, and the efforts of trained, dedicated staff. And trustees, new and experienced, have continued to contribute their expertise and judgment to the decision-making processes necessary for sound governance of their institutions amid this climate of change and possibility. To aid in this ongoing endeavor, this revised and updated handbook has been published as a source of current information, guidance, and, hopefully, inspiration.

This handbook has been published in loose-leaf format so that single pages or sections can be updated or added and so that trustees can add their own pertinent documents to make this a single reference source.

Public Library Service in Rhode Island - A Brief History

Public library service in Rhode Island generally began in the mid-19th century, when public libraries were established in various communities throughout the state. In 1867, the General Assembly passed a public library law giving cities and towns authority to establish or accept a public library, though some already existed. As these libraries developed and new ones were established, two qualities that seemed to distinguish them all were autonomy and Independence. The prime emphasis was on serving a given neighborhood or section within a city or town. Indeed, by 1963 there were 74 community libraries in the 39 cities and towns. The majority of these libraries received token support from their local governments. With several libraries operating independently of each other in certain cities and towns, the effect of this funding was further minimized. Most often, these libraries relied heavily on dedicated and resourceful library trustees to generate private funding. Today, cities and towns assume the bulk of public library funding with appropriations exceeding an annual total of \$26 million.

State aid to public libraries traces its roots to 1870, with the creation of the State Board of Education. By 1935, the Rhode Island State Library had assumed responsibility for both state aid for community libraries and library extension service. Specifically, it supervised the expenditure of state appropriations for public libraries for salaries and books and appropriations for extension service to libraries, schools, clubs, and civic organizations. In 1960, these appropriations amounted to \$41,000 -- far from today's state aid program exceeding \$7 million.

State aid was first supplemented by federal aid in 1957, when the General Assembly created Public Library Service to Rural Areas as an agency within the Department of State. This enabled Rhode Island to take advantage of funds provided by the Library Services Act (LSA), passed by Congress in 1956 to promote extension of public library service to rural areas. LSA later evolved into LSCA, the Library Services and Construction Act, which then evolved into LSTA, the Library Services and Technology Act, the principal source of federal funding for the nation's public libraries today.

The publication in 1963 of *Library Cooperation*, John Humphry and Lucille Wickersham's study of library service in Rhode Island, ushered in a new era for the state's libraries. As a direct result of this study and legislation initiated by the Rhode Island Library Association (RILA) based on its recommendations, Rhode Island was able to offer its citizens a comprehensive statewide library service program. The Department of State Library Services (now the Office of Library and Information Services) was founded in 1964 to oversee and promote library service and library cooperation in the state; an interrelated library network was developed and funded; a state grant-in-aid program based on per capita support was established for cities and towns; and Rhode Island became one of a handful of states providing funding for public library construction.

In 1986, Rhode Island also became one of two states whose constitution formally recognizes the state's responsibility for the provision of public library service, when a constitutional amendment to this effect was approved by voters by a margin of 68% to 32%. This paved the way for legislation passed in 1989 that represented a dramatic increase in the state's financial commitment to library service whereby, by the year 2000, state aid would amount to 25% of local aid and the LORI would

be funded at a 100% level. The grim realities of a state economy gone sour sidetracked progress toward achieving this level of state funding up until 1994, when a better economy and an increased awareness among legislators of the value placed on public libraries by Rhode Islanders of all ages and backgrounds resulted in increased funding for public libraries to the point where state aid at the 25% level was soon achieved.

Today, Rhode Islanders are served by 49 public libraries and their branches. Staffed by skilled professional librarians and paraprofessionals, these libraries provide access to a wide range of book and non-book materials. As member of LORI (Library of RI), the state multitype library network and CLAN (Cooperating Libraries Automated Network), they provide easy access to the collections of libraries throughout the state and country. Meanwhile, many eye-catching, well-designed public library buildings are in operation throughout Rhode Island as a result of local initiatives and a state public library construction program that has generated over \$105 million worth of construction since 1965, \$43.6 million of which is state funding.

Faced with new challenges and concerns in the age of the virtual library, it is important to reflect upon the role Rhode Island's public libraries have played in enriching and improving the lives of their users. This can only encourage and inspire today's librarians and trustees to remain at the forefront of the information age, leading the way to improved and expanded services for all.

Duties and Responsibilities of Trustees

Virginia Young's *The Library Trustee: A Practical Guidebook, 5th ed.* (the trustee's bible) offers the table below to clarify the typically separate duties and obligations of the library board and the librarian.

Of the Library Board

1. Employ a competent and qualified librarian.
2. Determine and adopt written policies to govern the operation and program of the library.
3. Determine the purposes of the library and secure adequate funds to carry on the library's program.
4. Know the program and needs of the library in relation to the community; keep abreast of standards and library trends; cooperate with the librarian in planning the library program; and support the librarian and staff in carrying it out.
5. Establish, support, and participate in a planned public relations program.
6. Assist in the preparation of the annual budget.
7. Know local and state laws; actively support library legislation in the state and nation.
8. Establish library policies dealing with book and material selection.
9. Attend all board meetings and see that accurate records are kept on file at the library.
10. Attend regional, state, and national trustee meetings and workshops, and affiliate with the appropriate professional organizations.
11. Be aware of the services of the state library.
12. Report regularly to the governing officials and the general public.

Of the Librarian

1. Act as technical advisor to the board; recommend needed policies for board action; recommend employment of all personnel, and supervise their work.
2. Carry out the policies of the library as adopted by the board.
3. Suggest and carry out plans for extending library services.
4. Prepare regular reports embodying the library's current progress and future needs; cooperate with the board to plan and carry out the library program.
5. Maintain an active program of public relations.
6. Prepare an annual budget for the library in consultation with the board and give a current report of expenditures against the budget at each meeting.
7. Know local and state laws; actively support library legislation in the state and nation.
8. Select and order all books and other library materials.
9. Attend all board meetings other than those in which the librarian's salary or tenure are under discussion; serve as secretary of the board if appropriate.
10. Affiliate with the state and national professional organizations and attend professional meetings and workshops.
11. Make use of the services and consultants of the state library.
12. Report regularly to the library board, to the officials of local government, and to the general public.

With this outline of the library board's governance responsibilities and the library director's administrative responsibilities in mind, the following tips define the functions of a library trustee in a very practical way.

Tips: Now That I'm a Trustee What Exactly Do I Do?

Use the library. Each library is unique and is designed to meet the specific library service needs of the community it serves. Unless you are familiar with your library's services, operations, collections, and programs, you cannot fully appreciate the library or understand its challenges or opportunities. Use the library and attend its programs. Take a turn as a volunteer.

Attend and contribute. You can't contribute to, support, or be aware of library service in your community if you fail to attend the scheduled board meetings. Meetings are held at least quarterly and often more frequently. Before you attend, be prepared. Look over and think about agendas sent to you in advance. Review notes from previous meetings. Go ready to listen, contribute, take notes, and follow up.

Monitor and review. As a representative of your community, you are the eyes and ears of library service. You are in a good position to know how the service is being perceived and to make suggestions for improvement. Know the plans and policies of your library and be sure they are current and in compliance with the law. Understand how the library is being financed. Read policies, letters, contracts, performance reviews, grants, and other communication carefully. Be sure plans, contracts, and reports are submitted on time.

Plan and evaluate. Each year goals and objectives should be written to build on the strengths of your program and to address its weaknesses. Know the strong and weak points of the services your library provides and help find ways to make them better. To help you plan and evaluate effectively, a "planning" section has been included in this handbook.

Advocate and communicate. A primary responsibility of all trustees is to be an advocate for library service. Talk to those who are responsible for funding the library and explain to them how the library serves your community. Make your friends, neighbors, and associates aware, too. Tell them about the library's achievements and ask them to help solve its problems. Look for opportunities to promote good public relations. Open the lines of communication with other trustees and librarians, especially from nearby libraries. Beyond support for your own library, be an advocate for all library service and the importance of reading and literacy.

Support and encourage. Being a librarian can be more stressful than you might imagine. Understand your librarian's problems and offer support. If you have a criticism, be assertive but diplomatic. If something is going well, say so. Above all, be positive and let your librarian and library staff members know they are not alone.

Know your community. Your library should be meeting the particular information needs of your community. You can only understand these if you know your community. Be a participant. Observe and talk to others. Remember to be an advocate for your library.

Qualifications of Trustees

Each trustee brings to the board certain strengths, skills, talents, and personal experience that uniquely serve the library. The board should represent a broad spectrum of community interests, occupations, and geographic areas. Such diversity assures that the library will serve the total community.

It is impossible to represent all the divergent interests of the service area on the board at the same time, but over a period of years the representation should rotate to include as many segments of the population as possible. A well-balanced board can bring in less experienced members who will provide new viewpoints.

Competencies necessary to fulfill board duties should also be present in the overall composition of the board. Collectively the board should strive to have:

- rapport with the entire community
- occupational diversity
- political acumen and influence
- business management/financial experience
- legal knowledge
- diversity in age, race, and sex
- varied personal backgrounds

Appointing authorities and individual candidates should be given a written statement of the duties and responsibilities of membership on the library board. An interested potential board member should not accept if lack of time or other commitments will prevent full participation.

Effective trustees are citizens who have:

- interest in the library and the community
- time to devote to board responsibilities
- awareness of the library's role in the community as a center of information, culture, recreation, and lifelong learning
- knowledge of the community and its diversity
- ability to think and plan creatively, to question objectively, and to carry out plans effectively
- skill in establishing policies for effective and efficient operation of the library
- sound judgment, a sense of fiscal responsibility, and political awareness
willingness to represent the library at meetings and public functions; good communication skills; the ability to relate to the public
- interest in working with local, state, and national library leaders and trustees to improve library service on all levels

Board Basics

What is a Library Board of Trustees?

A library board of trustees is a group of citizens responsible for the governing of a public library. Board members are the vital link between the library and its community. Trustees serve as library advocates and leaders in developing responsible and creative service to all members of the public.

Public library trustees are volunteers who serve their community. Trustees may be reimbursed, however, for any reasonable and necessary expenses incurred in the performance of library business.

Rhode Island public library boards are governing boards and carry full responsibility for the library and its policies. For example, the board selects, appoints, and regularly evaluates the performance of the library director. The director serves as chief administrator and is fully responsible for library policy administration, personnel selection and management, development and administration of programs and services, and selection of materials. Sound administrative standards dictate that the library director acts in accordance with established library board policy and that the library board does not engage in direct management.

How are Library Boards of Trustees Selected?

According to the statutes of the State of Rhode Island (RI General Laws 29-4-5), for public libraries established by a city or town, library board members are appointed by city or town councils. Board members of private, non-profit corporations serving as public libraries and receiving city or town appropriations are appointed in accordance with established corporation bylaws. All trustees should be aware of the appointment/selection process for their own city or town.

How Long Should a Trustee Serve?

No trustee should serve on the board indefinitely, no matter how dedicated and no matter how effective he or she is. Continuity of service provides for the wisdom of experience, but change provides the essential infusion of new ideas. Both are needed. Board members should recruit and encourage qualified potential trustees.

The number of reappointments by a governing body is not stipulated by Rhode Island statutes, but it is generally recommended that members of the boards of library trustees serve no more than two consecutive terms.

If a vacancy occurs prior to the expiration of a trustee's term, the position is filled in the same manner that appointments are made, and the new appointee completes the unexpired term.

For What are Boards of Trustees Responsible?

In accordance with powers granted by Rhode Island law (RI General Laws 29-4-5 through 7), trustees determine overall operating and administrative policies. This responsibility was confirmed in a July 1994 legal opinion issued by the legal counsel to the Governor (Appendix 10). The board acts as an agent of public trust governing the library. The library director is responsible for the internal management, daily operation and procedures of the library. He or she exercises professional judgment under the direction and the review of the board to implement the goals, objectives and policies set by the board.

There are four components of library governance that stand out as primary responsibilities for library board trustees. They are to:

1. Make everyone in the community aware of the library.
2. Secure adequate financial support.
3. Hire a competent director when the position becomes vacant.
4. Encourage continued growth and development of library staff.

The duties and responsibilities of the library trustee and the library director may appear to overlap. Understanding the differences in function assures teamwork and better library service.

How Does an Effective Board of Trustees Operate?

A public library board can run most effectively if it has bylaws for its own operation and if it conducts successful business meetings.

Board Of Trustees Bylaws

Every board of trustees should have its own written bylaws. Bylaws provide an opportunity for a library board to establish rules and routines for governing its actions and carrying out its responsibilities. Bylaws usually include:

1. Selection, appointment, terms, number and composition of board
2. Place, time, and responsibility for regular meetings and date of annual meeting
3. Procedures for calling special meetings
4. Attendance requirements
5. Definition and requirements of a quorum
6. Parliamentary rules to be followed
7. Duties of officers
8. Appointments and duties of any standing committees
9. Duties of individual library board members
10. Provision for special committees
11. Role, relationship with, and responsibilities of the library director
12. Required reports and annual timetables

13. Procedures for adopting or amending bylaws
14. Order of business

The board bylaws provide the general structure for your work. Be sure that all members of the board understand their specific roles, assignments, and the expectations for all officers and committees as outlined in your bylaws.

Meetings of the Board of Trustees

Regular meetings should be held to conduct board business effectively. Although library board trustees serve without pay, they are expected to give time and effort to their responsibilities. The knowledge and ability of individual members come together in the regular meetings of the board, where all members are equal and only the board can make a decision.

Most library boards schedule regular monthly meetings at times and places planned and announced well in advance. Regular and special meetings are subject to the requirements of the state open meetings law.

An agenda should be prepared jointly by the chair and the librarian with input from other board members and staff, respectively. It is good practice to ask at each board meeting what items members may wish to have placed on the next agenda. What does a traditional agenda look like? Here is one based on *Robert's Rules of Order*:

- 1) Roll call
- 2) Reading previous minutes and statistical reports
- 3) Correspondence and communication
- 4) Report of the librarian
- 5) Reports of any standing committees
- 6) Reports of special committees
- 7) Old (unfinished) business
- 8) New business
- 9) Adjournment

Tips for Effective Board Meetings

Work with an agenda. Know the purpose of the meeting and what tasks must be accomplished or what issues must be resolved. Build an agenda around these understandings and mail it to the director and trustees far enough in advance so that they can organize their thoughts on each item before the meeting. Prioritize items if necessary so you do what is most important first. Also, gather and mail out supporting documents with the agenda so members have time to read and think about them. To comply with Rhode Island's open meeting law, let your patrons know about the meeting.

Be prepared. Be sure the information you will need is available. Also, be sure you have on hand the tools (for example, a flip chart) that you will need. Each member should be familiar with the agenda and any supporting documents before the meeting convenes.

Establish ground rules. Establishing bylaws helps the board avoid facing the same questions and issues over and over. Bylaws provide consistency and order. They provide rules for participation, such as time limits for speakers and how to decide issues when there is disagreement. They answer such important questions as what constitutes a quorum, how often the board meets, who keeps the minutes, and so on.

Start and end on time. From your agenda, estimate how much time may be needed for each item. Let board members know how long the meeting is expected to run. The chair should try hard to reach those expectations.

Lead actively. The chair should follow the rules and the agenda, move the discussion along, keep on track, encourage all to participate, review and clarify when necessary, and be fair.

Be diplomatic. It is okay to be assertive but also be polite and considerate. No one member should dominate the meeting.

Make assignments clear. Any action assignments should be reviewed and clarified at the end of the meeting so there is no doubt who is expected to do what and by when.

Follow up. It is useful to send members copies of the minutes after each meeting. The chair or someone assigned should follow up to see that specific action assignments have been accomplished.

Legal Responsibilities of Trustees

Public library trustees must know and accept their legal responsibilities as governing agents of the library. Trustees need to be aware of general legal requirements, strive to act within the law, and seek expert assistance as appropriate.

Library trustees appointed by municipalities are bound by the Rhode Island Code of Ethics and the regulations of the Rhode Island Ethics Commission. Among the regulations is the filing of a financial statement with the Ethics Commission. As previously noted, according to state statute (RI General Laws 29-4-6), trustees are the legal guardians and custodians of the library and are responsible for the promulgation of all its rules and regulations.

As with any public official, trusteeship carries with it certain basic legal responsibilities:

- Maintaining good faith with constituency
- Obeying federal, state, and local laws
- Accepting office, including all its powers and obligations
- Showing diligence in the job
- Managing property and finances for the constituency served
- Making proper choice of library director

As a trustee, you hold a public trust for the citizens and taxpayers of the community you serve. When you accept this office, you also accept duties and responsibilities. You should understand that your board's decisions are subject to public scrutiny and to challenge in court. This makes fulfilling the board's legal duties in a responsible manner of the utmost importance. Review carefully the areas of liability and guidelines for preserving the public trust.

Areas of Liability

- Errors in acts in excess of authority (examples: censorship, dress codes for employees)
- Nonfeasance (examples: failure to get needed copyright clearances, failure to meet contractual obligations)
- Negligence (examples: unsafe buildings and grounds, failure to supervise funds)
- Intentional tort (examples: libel, assault, improper discharging of an employee, theft)
Acts in contradiction to the law (examples: improper reimbursement to trustees and employees, authorizing payment of improper expenses, purchasing certain property without bidding, failing to follow pertinent rules for hiring)
- Conflict of interest (examples: compensating an attorney who is a board member to do legal work for the library, hiring a relative)

Indemnification

Although suits brought against library board members are not common occurrences, members are at some risk and should seek to protect themselves. The library board should check with the local governing authority to determine if members are shielded from personal liability. If the board does not have statutory protection, it should investigate other options. Libraries established under the corporate structure will need to determine if individual board members are liable for damage caused by the corporation. Some library boards protect themselves by purchasing director liability insurance for members and employees.

The American Library Trustee Association (ALTA) developed and approved the following indemnification statement:

It should be considered mandatory that every library have an adequate level of insurance coverage. If any claim or action not covered by insurance or state statute is instituted against a trustee, officer, employee or volunteer of the library system arising out of an act or omission by a trustee, officer, employee or volunteer acting in good faith for a purpose considered to be in the best interest of the system, or if any claim or action not covered by insurance or state statute is instituted against a trustee, officer, employee or volunteer allegedly arising out of an act or omission occurring within the scope of his/her duties as such a trustee, officer, employee or volunteer, the system should at the request of the trustee, officer, employee or volunteer:

- a) appear and defend against the claim or action, and
- b) pay or indemnify the trustee, officer, employee or volunteer for a judgement and court costs, based on such claim or action, and
- c) pay or indemnify the trustee, officer, employee or volunteer for a compromise or settlement of such claim or action, providing the settlement is approved by the board of trustees.

Decisions as to whether the system shall retain its own attorney or reimburse the trustee, officer, employee or volunteer expenses for their own legal counsel shall rest with the board of trustees and shall be determined by the nature of the claim or action.

The term trustee, officer, employee or volunteer shall include any former trustee, officer, employee or volunteer of the system.

Does your board have legal counsel?

Do you understand your legal responsibilities as a board member?