VIRGINIA PUBLIC LIBRARY TRUSTEE HANDBOOK GOVERNING BOARDS

FOURTH EDITION | REVISED 2019

LIBRARY OF VIRGINIA
RICHMOND, VIRGINIA

PUBLISHED BY AUTHORITY OF THE LIBRARY BOARD

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Funding for this publication was provided by the Library Services and Technology Act.
It was prepared as an educational resource and should not replace legal advice.

FOREWORD

Dear Virginia Public Library Trustees:

The Library of Virginia is pleased to release the 2019 edition of the *Virginia Public Library Trustee Handbook*.

The Library first published this handbook in 1991 to assist both new and experienced trustees in fulfilling their responsibilities. We have updated the manual periodically since then to reflect changes in the law, in the library field, and in technology—all of which have an impact on the role of public libraries. We also incorporate the ideas and suggestions we receive from library directors and trustees. Changes in the 2019 edition include new information about participation in electronic meetings under Virginia's Freedom of Information Act (FOIA) and improved formatting to help you find what you are looking for more quickly.

Your work as a public library trustee is critically important to the health of our public libraries and the vitality of Virginia's communities. We applaud your commitment to free and open access to library services and thank you for investing your time and talent to ensure that Virginia's public libraries remain vibrant and strong.

With all best wishes,

Sandra G. Treadway
Librarian of Virginia
June 2019

ACKNOWLEDGEMENTS

The Library of Virginia wishes to express deep appreciation to all who assisted in the preparation of the *Virginia Public Library Trustee Handbook*.

As in the earlier editions of the handbook, trustee handbooks from other states were consulted during preparation for comparison. For this edition, we would like to give a special note of thanks to the authors of the publications from Pennsylvania, New York, and Wisconsin.

The cooperation and assistance of trustees of the Central Rappahannock Regional Library has been invaluable. Significant contributions were made by Kathryn Miller and Cheryl Miller.

We would also like to thank communications and marketing specialist Cindy Marks, communications manager Ann Henderson, and editor John Deal for their editorial assistance, as well as graphic designer Amy Winegardner, and buyer specialist Paranita Carpenter.

Revised by Kim Armentrout.

Governance and Administration 1.1

Library Boards in Virginia

Public libraries in Virginia are the responsibility of local governments. As organizational entities, libraries fall into four categories:

- **regional libraries** (a library established by two or more political subdivisions that join in maintaining a library system under the terms of a contract)
- **county libraries**
- **city libraries**
- **town libraries**

The *Code of Virginia* requires that all regional libraries and all counties, cities, and towns govern their public libraries through boards of trustees, with the exception of "(i) any city or town with a manager, (ii) any county with a county manager, county executive, urban county manager, or urban county executive form of government, (iii) any county that has adopted a charter, or (iv) the Counties of Caroline, Chesterfield, and Shenandoah, by virtue of this chapter." These excepted counties, cities, or towns may, if they wish, establish either governing or advisory library boards.

The *Code* also provides the legal framework for counties, cities, and towns that have not established public libraries to appropriate funds for the support and maintenance of library service operated and conducted by a company, society, or association. The boards of these nonprofit, private organizations are appointed by the membership.

Types of Boards

It is important that library board members and local government officials clearly understand the authority, role, and duties of the library board.

A **Governing Board** is legally responsible for the control and management of the library and all that happens in it. Broad administrative and policy-making duties are specified in the *Code*.

An **Advisory Board** has only those legal responsibilities granted by the local government. The *Code of Virginia* does not specifically address advisory library boards. The advisory board generally makes recommendations and acts as a liaison between the library, the local government, and the community to promote the library's services and programs. In reality, the power and authority of an advisory board may fall anywhere along a continuum running from truly advisory to that of an almost-governing board. What the board can or cannot do is determined by the ordinance that established it and the understanding reached over time between the board and the local government. As board members and government officials change over time, it is necessary for both groups to maintain such understandings and communicate them clearly.

Governance and Administration 1.2

The Board's Mission and Vision

A public library board has the primary responsibility for the success of the library, both now and in the future. Trustees have a legal responsibility to successfully maintain a free, public, nonsectarian library for all residents in the library's service area.

Representing the interests of the library, trustees:

- Manage (and have legal authority over) the library's policies, rules, and regulations
- Control all funds
- Plan the library's future and create an action plan
- Advocate and raise funds on behalf of the library
- Accumulate reserve funds for facility enhancements, renovation, and construction
- Evaluate the library's performance regularly to ensure objectives are met
- Hire and evaluate the library director
- Contract for cooperative services
- Protect the library from liability
- Prosecute those who steal or damage library property

Representing the interests of the community, elected officials may:

- Appropriate funds for the library or put forward a bond referendum
- Appoint members of the library board and fill vacancies
- Hold property on behalf of the library
- Exercise eminent domain on behalf of the library
- Purchase or lease lands and/or buildings for library purposes
- Assist with cooperative purchasing, maintenance, snow removal, health benefits, and more

Expectations of trustees:

- Respect the important role libraries play in the life of the community.
- Participate in orientation.
- Attend meetings regularly.
- Devote the time and attention required.
- Share skills on committees.
- Understand the community and its needs.
- Stay current on library trends and issues.
- Exercise discretion and respect confidentiality outside board meetings.
- Avoid conflicts of interest and put personal agendas aside when making decisions.
- Actively support the implementation of board decisions.
- Advocate for the library with elected officials and in the community.
- Understand the trustee's role and how it differs from the role of the library director.
- Have an open mind and respect differing viewpoints.
- Respect diversity.
- Advocate for equitable pay and benefits for library personnel.
- Understand and respect the role of the director.
- Work cooperatively with other board members.
- Focus on a secure future for the library.
- Participate actively in library programs and activities.

Governance and Administration 1.3

Appointment and Membership

Because Virginia places the governance of the

Governance and Administration 1.4

Trustee Responsibilities

Responsibilities of trustees usually divide into three categories: legal; fiduciary, policy making, and planning; and evaluation.

Legal obligations include securing funds and directing the finances of the library. Trustees must secure funds from a variety of sources, including local government, corporations, individuals, and grants. Possibly the most important role of the trustee—proactive solicitation of funds—ensures a strong, vibrant, and healthy library in the present and positive growth for the future.

In many communities where officials must scrutinize expenditures and justify funding, constant advocacy efforts are necessary for maintaining local government funding. Advocacy efforts should include regular presentations at local government meetings and other, more informal contacts with officials to update them on library services or to ask their advice regarding future growth. These meetings help to develop the strong relationships that are essential for successful library development.

The preparation of budgets is an important obligation with the administration of funds. Directing the finances involves determining (alongside the library director) how the money is spent. A budget reflects library priorities. For example, if programs are important to the community, money must be set aside to budget for those programs. As representatives of the people, board members must protect the use of public monies and serve the best interests of the people.

(Find more information about trustee financial obligations in Section 3 of these guidelines.)

Policy making and planning are also essential to quality library service and require a library trustee's attention. Using the powers granted under the law, library boards create operating and administrative policies that include selecting a library director and giving that person charge of the day-to-day functions of the library. Regular evaluation of the library and input from the library director will help trustees develop new policies or adjust existing policies to continue moving the library in a positive direction.

Well-written policies support the library's goals and objectives, and they provide the framework for the library director to manage daily activities. Policy management requires knowledge of the library's mission, vision, plan, functions, and services.

During each board meeting, time should be set aside to plan for the future and evaluate the group's progress. Trustees will set goals and objectives for a given timeframe of library service. (Typical are two-to-three-year plans or five-year plans.) Planning leads to strategic and well-defined service directions. Evaluation is a necessary step. Each year, the board should review its plan with an eye to assessing progress toward meeting the established goals and objectives, and make any changes that are appropriate for meeting current community needs.

Board members can be held liable for not fulfilling their legal responsibilities. Trustees should be careful to:

- Properly manage the library's money
- Have written policies, rules, and regulations, and abide by them
- Have open meetings, except when an executive session is required
- Thoroughly understand every issue before casting a vote
- Avoid conflicts of interest

Virginia trustees have legal rights and responsibilities under the provisions of the *Code of Virginia.*

The members shall adopt such bylaws, rules, and regulations for their own guidance, and for the government of the free public library system, as may be expedient. They shall have control of the expenditures of all monies credited to the library fund. The board shall have the right to accept donations and bequests of money, personal property, or real estate for the establishment and maintenance of such free public library systems or endowments for same. (*Code of Virginia,* sections §42.1-35 and §42.1-39).

The library board must function as a whole. While presenting a unified team, trustees may simultaneously fulfill individual roles related to advocacy, fundraising, public relations/ marketing, and more—all in alignment with the board's vision and plan.

Collectively, the library board is required by law to:

- Provide for bonding of the regional library treasurer, if applicable
- Submit an annual report to the Library of Virginia through the prescribed method*
- Submit a copy of the required audit or Comprehensive Annual Financial Report (CAFR) to the Library of Virginia
- Conduct open meetings, except when executive sessions are necessitated

By law, a trustee shall not receive a salary or other compensation for services as a member, but necessary expenses actually incurred shall be paid from the library fund. However, the governing body of Fairfax County may pay members of its library board such compensation as it may deem proper.

Rules and regulations of Virginia libraries require certain levels of local financial effort in order to qualify for state aid under the provisions of the *Administrative Code of Virginia.* Trustees should make sure their library meets those requirements.

* The annual report must:
  - Itemize receipts and expenditures
  - Show the condition of the library
  - Give numbers of volumes, etc. held, lost, withdrawn, or added
  - Give the number of registered borrowers and readers
  - Report circulation of material
  - Include other information as required

Governance and Administration 1.5

Orientation

In order to be more effective, new members of the board should be provided with information that will help them feel more comfortable with their responsibilities, give them self-confidence as they begin, and get them involved early.

Orientations may be done informally, with the library director and board chair meeting the new trustee to go over a set list of items, or may be conducted via a board meeting. Regardless of form, the orientation program should be planned step by step. The responsibility for planning and implementing the orientation is shared by the board chairperson, the members, and the library director.

Orientation sessions should start as soon as possible after the member is appointed—preferably, and at least in part, before the first board meeting. This will give the new trustee an opportunity to get to know the library director, board members, and staff, and to ask questions about the library and its services.

New trustees should meet with the library director to learn how the library is:

- Organized and governed
- Funded and budgeted
- Operated day to day
- Structured to serve the needs of the community
- Linked to other resources and libraries
- Related to board of trustees

New trustees should tour the libraries in the system with the library director and meet staff members.

New trustees should meet with trustee representatives to learn about the board:

- Type of board—whether advisory or governing
- Organization, officers, and committees
- Meeting location, schedule, and operation
- Responsibilities and expectations
- Goals, long-range plans, and projects in progress
- Accomplishments
- Relationship to the library director

Orientation Kit and Notebook

In addition to the Virginia Public Library Trustee Handbook, a new board member needs information about the local library to review and consult.

The information may include:

- List of board members and contact information
- Bylaws of the board and committee responsibilities
- Minutes of the previous year's board meetings
- Organizational chart for library
- Policies of the library board concerning personnel, book selection, collection development, meeting room use, etc.
- Strategic plans
- Most recent library annual report, with prior years for comparison
- Statistical reports on circulation, services, etc.
- Current budget and financial reports
- History of the library and its present goals and objectives
- "Elevator" talking points
- Local laws, charter, and contracts pertaining to the library
- Community analyses such as census figures, as well as demographic, economic, and employment trends
- Local Friends of the Library information sheet

Governance and Administration 1.6

Board Organization

Bylaws

All library boards need to assure continuity and consistency for their legal, financial, and policy-making activities. Written bylaws are accepted tools for doing this. Bylaws cover the basic structure under which the board conducts its business. These bylaws should not conflict with any local, state, or federal laws or regulations.

A copy of the bylaws must be on file in the Library Development and Networking Division of the Library of Virginia. Any amendments must be filed with the division immediately upon adoption.

The bylaws should include:

- Library name, with headquarters and branches
- Mission statement
- Constituency served
- Governing body
  - Library board of trustees selections, appointments, terms, and officers
  - Appointment and duties of standing committees
  - Provision for special or ad hoc committees
- Meeting information
  - What constitutes a quorum
  - Time, place, and responsibility for meetings
  - Attendance requirements
  - Method for calling special meeting
  - Order of business
- Procedure for amending the bylaws
  - Parliamentary authority
  - Date of adoption

Library Board Officers

Boards grow from different traditions and have differing ideas about the type and number of officers required. The most common pattern includes a chair (sometimes called president), a vice chair, a secretary, and a treasurer. It is recommended that any locally elected official sitting on the board not serve as an officer due to a perceived conflict of interest.

Roles of the Board Chair

Planner. The chair works with the director to plan the meeting agenda and keeps an overall view of the board year, ensuring that the board is completing duties mandated by board policy or law.

President/Facilitator. The chair must ensure adherence to the agenda and completion of items on the agenda, keeping meetings moving forward in a timely and effective manner. The chair should also encourage participation of all board members.

Delegator. The chair traditionally has the power to appoint board members and others to committees with board consent. To do this well, the chair must have a clear understanding of each board member's skills, strengths, and interests. Committee assignments should be clear and hold committee members accountable to do the job assigned. The chair may be an ex-officio member of a committee.

Liaison. The chair communicates board needs to the director, and the director's needs and concerns to the board. The chair offers personal support and counsel to the director, and serves as a sounding board for the director.

Team Builder. The board must always function as a team. On occasion, it may be necessary for the chair to mediate and counsel fellow board members if the board fails to function cohesively.

The **Vice Chair** of the board traditionally serves as the backup for the board chair. Often the vice chair is assigned additional specific duties, such as chairing a committee, taking charge of board development activities, or preparing for special board events.

The **Treasurer's** duties vary from library to library, but often the treasurer signs checks, and in some instances, serves as chair of the finance committee. In many libraries, financial matters such as writing and signing checks, and related accounting functions, are handled by the local government, and the treasurer's position may not exist.

The position of the **Secretary** also differs from one library to another. In some systems, the secretary takes the board minutes; in others the minutes are taken by the director or another staff member. Correspondence on behalf of the board is the responsibility of the secretary in some systems, though it is done by clerical staff at the direction of the library director in others.

Governance and Administration 1.7

Effective Meetings

The frequency of meetings is up to the local board. Library boards typically meet monthly, bimonthly, or quarterly. It is important that meetings be scheduled and structured so that the library's business is transacted in a timely manner and that all board members are included in the decision-making process.

Libraries must adhere to the Virginia Freedom of Information Act (**§2.2-3700** *Code of Virginia*). Trustees and staff should be familiar with its provisions.

Meeting Notices

Boards are required to post information as to date, time, and location of public meetings. Board meetings should be announced on the library's website; in a prominent physical public location, such as a clerk's office, where notices are regularly posted; and at the library.

Open Meetings

All regular and special meetings of the board must be open to the public. Keep in mind that the library belongs to the community; its governance is entrusted to the board of trustees. Citizen awareness of the operations, plans, and problems of the library can be very beneficial.

Executive Meetings

Executive or closed meetings may be held for certain matters. In order to hold an executive meeting, an affirmative vote must be recorded in the open meeting with the motion stating specifically the purpose of the meeting and including a statement in the minutes with reference to the applicable exemption in the *Code of Virginia*. (See Appendix for *Sample Motion for Closed Session.)*

No formal action should be taken in a closed meeting. All decisions must be formally adopted when the board reconvenes in open meeting and takes a vote of the members.

The Virginia Freedom of Information Act lists several exemptions to open meetings. The ones of special interest to library boards include (but are not limited to):

- Discussion or consideration of employment, assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of public officers, appointees, or employees
- Discussion or consideration of the condition, acquisition, or use of real property for public purpose; or of the disposition of publicly held property
- The protection of the privacy of individuals in personal matters not related to public business
- Consultation with legal counsel and briefings by staff members, consultants, or attorneys, pertaining to actual or potential litigation; or other specific legal matters requiring the provision of legal advice by counsel
- Discussion or consideration of tests or examinations or other documents pertaining to any employee or employment seeker's qualifications or aptitude for employment, retention, or promotion

Meetings through Electronic Communication Means

Subject to certain requirements, the board may conduct any meeting where public business is discussed or transacted through electronic communication means if, on or before the day of a meeting, the trustee requesting the electronic allowance notifies the chair that:

- They are unable to attend the meeting due to a temporary or permanent disability or other medical condition that prevents their physical attendance
- They are unable to attend the meeting due to a personal matter and identify with specificity the nature of the personal matter (Participation by a board member pursuant to this subdivision is limited each calendar year to two meetings.)
- Their principal residence is more than 60 miles from the meeting location identified in the required notice for the meeting

Minutes

The Virginia *Code* requires that minutes be recorded at all public meetings. The minutes must be open for inspection and available for copying by any citizen of the state and representatives of print and broadcast media, as specified by law.

Recommended Documents and Procedures

Library boards function best if they have agreed-upon procedures for conducting their business. Trustees should arrive at meetings prepared, after reviewing provided materials. The following should be managed consistently:

- Dates, times, and places for meetings, and the methods for changing them
- Preparation of the agenda with posted time allotted for each item
- Format of minutes and responsibility for recording and filing them
- Titles and responsibilities of officers
- Relationship of library director to board and director's role in board meetings
- Legal responsibilities and business matters requiring review by legal counsel
- List of records that must be retained and how to access them
- Required and supplemental reports
- Outline of budget procedure
- Clarification of financial reports and bills
- Crisis management plan
- Identification of a spokesperson for the board
- Committee assignments
- Statements detailing relationships between Friends of the Library and the board
- Statements pertaining to relationship between board and staff
- Statements regarding the use and coordination of volunteers

An effective board provides an ongoing program of trustee education. Ideally, that program should include:

- Time on the board's agenda for the review of programs and services offered by the library so that each board member is aware of these activities
- Time on the agenda for brainstorming and for exploring the backgrounds and talents of the board members (and staff) to identify strengths
- Completion of training courses such as those provided by the Library of Virginia's Library Development & Networking Division
- Attendance at state, regional, or local meetings and workshops
- Attendance at conferences that focus on issues related to your library's future success
- Access to and discussion of current state and national professional literature, as well as information and reports provided by the Library of Virginia

Using a Consent Agenda

Meeting time is valuable and involves time set aside to review, prioritize, and plan as a group.

Policy Making 2.1

Importance of Policies

Written policies are essential to the successful operation of the library. Library policies are developed by the board to carry out the library's goals and objectives, and to provide a guide for the director in the day-to-day operations of that program. Policies should be flexible and not overly rigid, and their language should be clear enough to avoid misinterpretation. They should be reviewed on a regular basis, perhaps by an attorney as well as the board, to see if they remain suitable for current application.

Policies are necessary to:

- Provide a framework that supports the library mission, philosophy, and vision
- Support decision-making and strategic planning
- Guide the staff in performing their duties and delivery of services
- Establish what services the library will provide and how they will be provided
- Outline procedures
- Ensure all customers are treated fairly and equitably.

When the board adopts or updates a policy, the library director will use it as a guide when planning and managing the daily activities within the library.

Policy Making 2.2

Types of Policies

Each library serves a very different community. Therefore, library policies should be developed with due consideration given to the specific needs of its locale.

At minimum, libraries require policies related to:

- A mission statement (The foundation of the library is its mission statement.)
- Internal processes such as:
  - Human resources
  - Collection development
  - The use of facilities
  - Operations (hours, fines, etc.)
  - Internet/computer use
  - Continuing education for board and staff
  - Ethics and conflicts of interest
- External processes such as:
  - Collaboration with other libraries
  - Public relations
  - Services to specialized group (Americans with Disabilities Act)

The library's policies should be available to all boards and staff and to anyone in the community who wishes to see them. A manual, categorized and numbered with topical headings, provides easy reference and use. Providing an electronic link to a pdf or having an online version hosted on the library's website ensures broad access.

The library director is very familiar with the community; the patrons; and the staff, collections, programs, and services of the library. He or she can assist the board with policies related to collection development, community room usage, internet usage, human resources, and more. Another valuable resource is the American Library Association (www.ala.org), which provides sample policies for consideration.

Financial Development 3.1

Fiscal Responsibilities

Trustees are part of a board that is fully and legally responsible for the proper ethical management of library funds. That means that trustees oversee the creation of the library's annual budget in alignment with strategic goals, manage expenditures in good faith, and regularly work to ensure that the library has sufficient operating and reserve funds. This section will tell trustees more about fiduciary expectations, a typical library's sources of funds, and participation in generating additional revenue to supplement the budget.

Board members are entrusted with a number of fiduciary responsibilities, including:

- Preparation of the budget each year in collaboration with the library director
- Management of the approved budget
- Ensuring that funds are spent in an ethical manner
- Using financial report line items that conform to those used in the state annual report
- Excusing themselves from budget-related discussions and decisions which may pose a conflict of interest
- Raising funds for operating costs (if revenue does not cover expenses) and/or reserve funds to supplement operating funds
- Conformance to federal, state, and local laws, as well as conformance to their bylaws

Financial Development 3.2

Sources of Funding

The two main sources of public library funding are state and local government. Additional funding is derived from municipal governments, corporations, organizations, and individuals. Refer to the advocacy recommendations in Section 5 to help prepare for seeking municipal funding.

Local Government Support

In most public libraries in Virginia, funds to operate the library are derived from allocations made by the county, city, or town government under which the library is established. When additional funds are needed, the board must be prepared to justify, to local authorities and to the general public, the need for such expenditure.

State Aid

Sections **§42.1-46** through **§42.1-58** of the *Code of Virginia* authorize the awarding of grants to provide for the development of library service and to assist libraries in improving standards of service.

The formula for state aid provides for the allocation of grants based on the following factors, effective July 1, 1992:

- Forty cents of state aid for every dollar expended, or to be expended, exclusive of state and federal aid, by the political subdivision or subdivisions operating or participating in the library or system. The grant to any county or city shall not exceed $250,000.
- A per capita grant based on the population of the area served and the number of participating counties or cities—thirty cents per capita for the first 600,000 persons to a library or system serving one city or county, and an additional ten cents per capita for the first 600,000 persons for each additional city or county served. Libraries or systems serving a population in excess of 600,000 shall receive ten cents per capita for the excess.
- A grant of ten dollars per square mile of area served to every library or library system, and an additional grant of twenty dollars per square mile of area served to every library system serving more than one city or county.

State aid may be used for library materials, equipment, and furniture. Up to 25 percent of the grant may be used for salaries of full-time certified librarians. Libraries serving populations of 13,000 and above, and operating without a full-time certified librarian, receive a 25 percent reduction in their state aid grant.

Library boards should be thoroughly familiar with the *Requirements Which Must Be Met in Order to Receive Grants-In-Aid* (17 VAC 15-110-10), or the *Requirements Which Must Be Met by Libraries Serving a Population of Less Than 5,000 in Order to Receive State Grants-In-Aid* (17 VAC 15-90-10) from the *Administrative Code of Virginia* (See Appendices)

Federal Funds

From the 1960s until 1996, the Library Services and Construction Act (P.L. 101-254) provided funds to assist states in the extension and improvement of public library services. In 1996, Congress approved the Library Services and Technology Act (P.L. 104-208) "to stimulate excellence and promote access to learning and information resources in all types of libraries for individuals of all ages; to promote library services that provide all users access to information through state, regional, national,

and international electronic networks; to provide linkages among and between libraries and to promote targeted library services to people of diverse geographic, cultural, and socioeconomic backgrounds, to individuals with disabilities, and to people with limited functional literacy or information skills."

Miscellaneous Sources of Funding

Gifts and donations. Policies should be adopted on the acceptance and handling of these funds.

Endowments/foundations/trusts. A library's own endowment, foundation, or trust fund can be established, with the interest used to supplement the tax-based budget or to finance a special project.

Fines and fees. Local policy determines the availability and use of fines and fees.

Fundraising projects. A Friends of the Library organization can be beneficial to the library in undertaking fundraising events for special projects and programs.

Grants. Corporations and foundations are frequently good sources for additional funds. Directories are available that identify local, state, and national sources. These grants are highly competitive and success may depend on the library's ability to prepare a well-written grant proposal.

When funds from those sources are not enough to cover operating costs or maintain reserve funds, board members are responsible for raising the money necessary to continue working toward your ideal community library. When considering potential sources for funding, trustees should investigate opportunities with civic organizations, school districts, corporations, and matching gift programs.

Financial Development 3.3

Annual Budget

The library's annual budget should be developed cooperatively by the board, the library director, the library staff, and the community. Most libraries track finances using various software programs. It is recommended that your budget line items conform to those used in the state annual report. This eases the process of reporting to the state and creating annual reports with common frames of reference.

Note: Because this information is critical to the operation of your library and may need to be accessed by others, all financial materials should remain in the library at all times.

Presenting the Budget

Trustees play a key role in securing funds for the library. They must be thoroughly prepared to participate in presenting, explaining, justifying, and negotiating the budget. The library must be defended as a basic community and information agency.

The chances for success in securing adequate funding are enhanced if the library has maintained good communications with the local funding authorities throughout the year. It is important that the local officials know how the library funds are used and what the library needs.

Trustees should be prepared to:

- Invite officials to special programs, receptions, and library activities
- Offer personalized library reference service and assistance to local government officials and departments
- Be sure letters of appreciation, awards, and staff accomplishments are well publicized
- Enlist the support of the Friends of the Library and the community to promote the library budget

Implementing the Budget

Once the trustees have set their priorities and obtained funding, the library director and staff have the responsibility of implementing the budget.

Trustees must continue to fulfill their fiscal responsibilities, but their role now shifts to maintaining an awareness of budget implementation and enforcing adherence to the budget plan. Trustees should not be involved in the day-to-day financial operations of the library, however.

Specific procedures and responsibilities should be outlined in the local policy and procedures manuals so that all trustees and staff understand the lines of authority. The tasks, authority, and duties for library spending must be clearly delegated to the bookkeeper, director, or other staff. Trustees may be asked to contribute specific expertise in fiscal management, but their major role is planning, budgeting, and securing funds.

Planning 4.1

Strategic Planning

Because the board is entrusted with the library's future, planning is a critical component of trustees' roles. This means identifying objectives, choosing strategies that will work best for the library, following an action plan to realize the board's vision, and regularly evaluating progress to ensure that the library is moving in the right direction.

Strategic planning is a continual process. For best results, it should be specific to the community and include the following:

- A statement of community needs incorporated into the library vision statement
- A statement of the library's mission, which describes the services it will provide to meet community needs
- A statement of the library's goals with objectives that convert to action
- A timetable for achieving goals—both short and long range
- Details of the services, programs, and developments desired
- Data supporting the community needs included in the plan—surveys, census data, and studies
- A plan within a plan for implementation
- General assignments for the sections of the plan (For example, if the plan suggests closer relationships with community groups, then the assignment would be to the board and the staff to develop ways to do this.)
- Examination of the budget for ways to begin implementation (Some examples might be a consideration to shift some budget amounts from one purpose to another or think of ways to support a new project from the plan.)
- Cooperation with public officials to achieve financial needs
- Development of flexible public relations and publicity
- Reasonable priorities which recognize the capacity of the library and the community

Planning 4.2

Planning Process Outline

This 5-step planning process helps a board identify long-range and strategic goals based on community needs.

1. Develop a board vision. Have a special planning meeting to discuss the board's goals and concerns for the future of the library and the community. Understanding everyone's perspective and finding the commonalities is an essential starting point. The next steps in the process will help test the board's perceptions and create a unified board vision; but if this conversation doesn't happen first, it will be difficult to work as a group once the findings are in.

2. Assessment. Identify local usage trends through library circulation, program, and technology usage data. Are there things the community is looking for that the library is not providing at this time? Are there things the community clearly would like to see more or perhaps, less? Comparing the library to others with similar budgets or service populations can be a useful planning activity to benchmark capacity. The Library of Virginia provides financial and service statistics of all of the public library systems in the state upon request.

3. Gather input from the community. ***Talk to the community and listen to what they have to say.*** Using a combination of focus groups, community conversations, online tools, interviews, and surveys ensures a broad amount of input, from both library users and non-users, thereby helping the board to identify community trends, aspirations and priorities. Do not ask the community what the library "should" be doing—that is the job of the board and the library director and staff to determine. Instead, respondents can be asked to contribute their vision for the library's place in the community. The library director will be able to offer strategies for the effective use of focus groups and community surveys.

Tips: The "Turning Outward" tools from the American Library Association's Libraries Transforming Communities Initiative are a good resource to use during this process. An example of a community survey can be found in the Appendix.

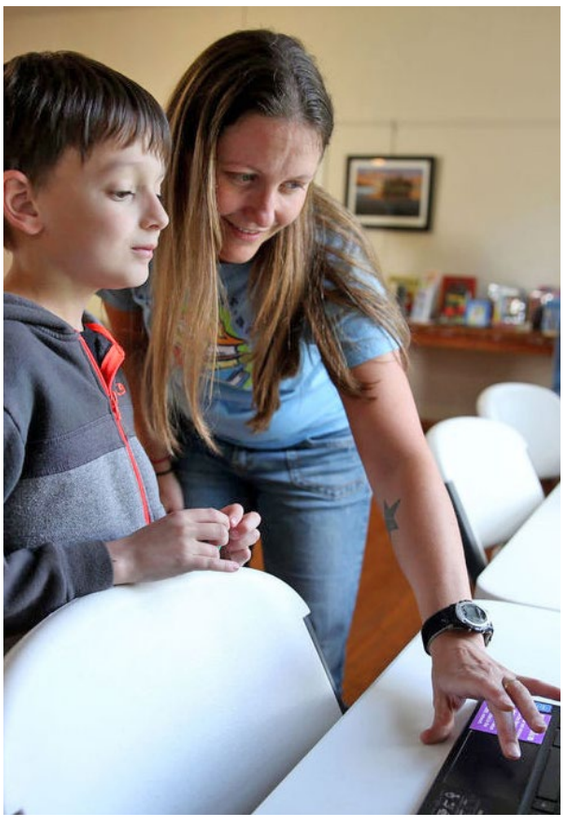
4. Analyze what has been learned. Examine the assessment and community input information. Then use a "SOAR" analysis to identify the library's strengths, opportunities, aspirations and results. This will help the organization focus on current strengths and a vision for the future to develop the strategic goals. The basic questions to be answered are:

- What are the library's greatest strengths?
- What are the library's best opportunities to help the community reach their aspirations?
- What is the library's preferred future?
- What are the measurable results that will show that the vision of the future has been achieved?

5. Assess the library's capacity. Using the lens of the strategic goals developed in step four, examine the library's ability to move forward in the direction the trustees have ascertained. Consider the areas of:

- Personnel
- Finance
- Facility
- Policy
- Partnerships
- Governance
- Marketing & Public Relations
- Measurement & Evaluation

Through these five steps the board and staff will have the information needed to create and write a solid plan for the future of the library.



Planning 4.3

Basic Ingredients for a Five-Year Plan

The following list contains elements that should be included in a library's Five-Year or Strategic Plan:

- Vision (where trustees want the library to be in the future)
- Core values (frank self-assessment of how the board wants the organization to behave as it delivers its vision, mission, and focus)
- Clearly defined outcomes (steps the board is going to take to achieve its vision and what success looks like for each of those steps)
- Accountability (person/position who will have primary accountability for each outcome)
- Key performance indicators (measurable values that demonstrate how effectively a company is achieving defined outcomes)
- Name of library system
- Timeline (dates/years the plan covers)
- Plan approval and updates notation—annual or bi-annual
- Contact information (for questions about the plan)
- Branch plans (if applicable –the plan is not the same for the entire library system)
- Page numbers
- Headers and/or footers

Advocacy 5.1

Fostering Relationships

Trustees are in a unique position to represent the library because while actively involved as a volunteer with the organization, they are also at-large, tax-paying constituents of the community. Whereas a library employee might be perceived as self-serving if speaking on behalf of the library or requesting financial support, trustees are more likely viewed as passionate supporters who also represent the interests of their neighbors.

Developing and maintaining relationships with people of all ages and interests in the community means trustees will learn more about what patrons and potential patrons need and want from the library. This information will prove useful when it's time for trustees to add or update policies, make decisions about library services, and plan the library's future.

When trustees speak positively and often about the library, people will come to associate them with it. Many trustees report that community members with little prior knowledge of what their library had to offer have eventually begun approaching the trustees with questions and ideas. Because opportunities constantly present themselves, these conversations may take place in grocery stores, at civic meetings, on the golf course, within the workplace, or around a picnic table. Regardless of where they occur and how long they last, the important thing is to convey a positive message to listeners about the benefits of their community library.

When the time comes to send letters of request for financial support or rally a group to help lobby for the library, trustees will have fostered an interested, engaged group of willing helpers.

Advocacy 5.2

Fostering Relationships in the Community

Everywhere trustees go they encounter new opportunities to tell others about the positive benefits a library provides to the community—benefits such as internet access, interlibrary book loans, database access, reference librarian services, personal development programs, and much more.

Trustees should be prepared to take advantage of these opportunities by preparing an "elevator" or "parking lot" speech in advance. (These terms refer to the short time it would take to travel several floors in an elevator or cross a parking lot to the car.) Share these important points:

- A focused and timely message (Examples include "Contribute to your library through volunteerism," "Attend the upcoming fundraiser," "Strengthen current advocacy efforts by contacting your legislators," and so on.)
- A short anecdote or meaningful fact that supports the main message
- The reason that the message is so important (For example, "We're short on staff because of budget concerns," "We're raising money for a teen activities area," "We're lobbying for additional funding," etc.)
- A call to action—a specific thing the trustee would like the listener to do

Such casual conversations can lead to significant future benefit for the library and the community. Each message is so important, in fact, that a trustee should also plan to share it regularly with the municipal government. The next section discusses this specific audience further.

Advocacy 5.3

Fostering Relationships with Officials

A proven model for successful relationships with governing bodies includes consistent, positive reporting to the local officials who may play a role in determining the library's future.

It is essential for trustees to be knowledgeable about the political process and to learn ways to affect decision-making. Trustees must take the time to understand the structure of their community's political system. In Virginia, these political layers include town, county or city, and state officials who each have certain powers to support the library. On the national level, Congress makes broad decisions that filter directly down to affect states and localities. Trustees need to cultivate frank, open relationships with all of these officials, working with them to produce the best possible climate for their library.

Effective advocacy begins with a clear understanding of the library's needs, services, resources, and vision. A trustee's knowledge should then extend to the library's context within the larger state library network.

To stay current on issues that may affect your library, trustees should maintain membership in professional associations, such as the Public Library Association (PLA), the Virginia Library Association (VLA), and others. As a member, you will receive regular, updated communications about all things related to library advancement.

Attendance at library-specific conferences is also recommended. There, trustees can find out what's happening that may impact the library, and you will have the opportunity to meet like-minded people and share ideas. Such networking may be helpful on many levels during your term as a trustee.

In any lobbying effort, participants need to understand the legislative process and proceed under a coordinated plan of action.

Regular communication with state legislators means you will be in a position to share the benefits your library provides to the community and to tell legislators how changes or proposed changes may affect your library.

Advocacy 5.4

Effective Advocacy Plans

An advocacy plan is the intentional and strategic use of political activities including lobbying, educating the public, and conducting community research that allows the library to better fulfill its mission. Creating an effective advocacy plan begins with knowledge of library issues such as funding, censorship, and internet use, among others. Implementation of an advocacy plan requires a mindset recognizing that the financial integrity of the library rests with its board of trustees.

Advocacy is an ongoing process, so as stated earlier, trustees should develop and maintain relationships with officials who make decisions

Board as Employer 6.1

Scope of Responsibility

The most important decision that trustees make is choosing the library director. Ideally, the board's only employee will have a positive, collaborative relationship with the board. He or she will work daily to fulfill the vision of the community library.

It is necessary to first define and then respect the boundaries and scope of work given to both the trustees and the library director. Then the director, with guidelines and solid support from the board, is able to assign work and make decisions that align with expectations and ensure excellent library service.

ACTIVITY	BOARD OF TRUSTEES ***Purpose: Guide the library to accomplish amazing things***	LIBRARY DIRECTOR ***Purpose: Align the library's daily activities with the board's vision***
FUND DEVELOPMENT FOR: General operating expenses Financial future of the library	Strategically plans to ensure a strong financial future for the library Presents to local government officials for continued, improved allocations Hosts special events to connect with major donors Assists in writing grants	Works with the board on strategic planning Writes grants
FUNDRAISING (outside general operating budget)	May assist Friends with their activities Creates and implements a fundraising strategy as part of the overall strategic plan	May assist Friends with their activities
POLICY MAKING	Writes, reviews, and adopts policies for: Bylaws Human resources Collection development Community room usage Patron behavior Internet usage	Assists board in policy writing for: Collection development Community room usage Patron behavior Internet usage Human resources

ACTIVITY	BOARD OF TRUSTEES ***Purpose: Guide the library to accomplish amazing things***	LIBRARY DIRECTOR ***Purpose: Align the library's daily activities with the board's vision***
PLANNING	Engages in short- and long-term planning for: Mission and vision statements Funding and financial management Advocacy activities Administration and management Facility Programs and services Technology Marketing Community partnerships Other areas as needed	Assists board in planning
MARKETING AND ADVOCACY EFFORTS	Works collaboratively with director and Friends	Works collaboratively with trustees and Friends
HUMAN RESOURCES	Writes job description for director Hires (and may fire) director Evaluates and supports exceptional performance of director Provides frequent feedback concerning job performance Could also evaluate board	Manages other staff, including: Writing job descriptions Hiring Evaluating
EVERYDAY LIBRARY MANAGEMENT	N/A	Orders books Plans programs Manages staff Handles other assigned duties
BUDGETING	Prepares annual budget	Consults with the board on budget preparation Spends within the budget

Board as Employer 6.2

Hiring One Employee: The Library Director

Trustees are responsible for hiring, evaluating, encouraging, and supporting the library director. Careful preparation will help with effective hiring.

A successful, effective library director should demonstrate:

- Professional knowledge
- An understanding of current library best practices and new, emerging technology
- Technical ability
- Leadership skills
- Community involvement
- Strong communications skills
- Vision

Directors should have working knowledge of:

- Finance
- Advocacy
- Strategic planning
- Marketing and public relations
- Management
- The community which the library will serve

Advertising the Position

Using the above qualifications, the board will need to advertise the position and invite qualified candidates to apply. The Virginia Library Association and the American Library Association are good places to advertise library services positions. Advertising and searching for qualified individuals via online statewide listservs and employment agencies is also useful.

Interview Process

A good place to prepare for the hiring process is the Library Development and Networking Division at the Library of Virginia. Their consultants have practical insight on the director position. Trustees can also contact a consultant for help in developing the most appropriate interview questions. Some sample questions include:

- What about our organization interests you?
- What do you consider to be your major accomplishments in your current job?
- What do you feel is the library director's role in developing and supporting technology in the library?
- Tell us about the most difficult personnel problem that you have had to deal with. How did you handle it? How was it resolved?
- How would you create or identify opportunities for staff development?
- What do you feel is the library director's role within the community?
- How would you explain to municipal officials why the library needs increased funding?
- What experience have you had with long- and short-term budget projections? Please explain.
- How would you develop a vision and mission for the future and then communicate that vision?
- Have you ever been in a situation having multiple supervisors or multiple sets of rules and regulations? How did you or would you handle that?
- How would you raise the visibility of the library throughout the community?

- What can you do for us that someone else can't do?

Tip: See Appendix for other sample interview questions.

Be sure to consider which are your strongest needs—creativity, flexibility, fiscal management, advocacy, etc.—and structure several of the interview questions around those skill sets.

Board as Employer 6.3

Evaluation of the Library Director

Once trustees have hired the best director for the community's library and shared the board's expectations with him or her, it's time to consider a system of evaluation. By evaluating the director consistently, trustees are able to continue the conversation in a constructive, motivating way.

As trustees fulfill their legal and policy-making functions, they inevitably become aware that progress evaluations regarding the library and the librarian are an ongoing, necessary process. Evaluations will take place when choosing new programs, assigning budget amounts, granting salary increases, and discussing successes and failures.

The most difficult evaluation, and one only the board can do, is the job performance rating for the director. Major criteria include how well or poorly:

- The director has dealt with the staff
- The director has dealt with the public
- Administrative matters have been handled
- Records have been kept
- The library budget has been followed
- The director's strengths and talents have been demonstrated in the library's service
- The library's positive visibility has been implemented via marketing and library programs

Boards should approve a human resources policy that includes the director position and specifies a time schedule for an annual review of the director's job performance. The librarian and board should develop an annual plan against which to measure the progress made over the evaluation period.

Evaluation is a continuous process of reinforcing areas of strength and identifying the areas that may benefit from improvement over time. Trustees represent the public and need to perform this evaluating duty to ensure competence and effectiveness in their libraries.

Tip: See the Appendix for a sample evaluation form.

Board as Employer 6.4

Dismissal of the Library Director

One of the most difficult situations a board may have to face is the dismissal of the library director. It is an action that should not be taken lightly because it will affect the future of the library and reflect on the career of the director.

There is less likelihood of having to take this action if care is taken during the hiring process and the board has a well-developed evaluation procedure in place.

If efforts taken to improve the director's performance are unsuccessful, and the working relationship between the board and the director hits an impasse, then dismissal may arise as a last resort.

Generally, the reasons for discharge are around poor performance or infractions of the rules. Both the potential reasons for dismissal and the procedures to be followed should be stated explicitly in writing and adopted by the board as policy. It is important to avoid vague terms. An appeals procedure should also be in place to ensure fairness and to protect the director from false charges.

In considering dismissal of the director, the board should consider the following questions:

- Has the board acted responsibly?
- Has the board dealt with problems as they arose?
- Has the director received written notification of his or her dismissal and the reasons for dismissal?
- Has the director been given a full hearing?
- Have the charges been listed explicitly?
- Can the board defend its position?
- Does the board need legal advice?
- How will the dismissal be handled with the public?
- Do the policies need to be changed?

The board should understand that its responsibility is to provide the best possible library service. Every effort should be made to ensure that personalities and biases are not leading factors in a decision to replace the director.

Board as Employer 6.5

The Board's Relationship with Staff

A clear understanding of the relationship between the board and staff members is vital to the smooth operation of the library. Ideally, the relationship will be analogous to that of a corporate board of directors (i.e., it should be one of cordial and friendly interest; but at no time should the board, or an individual board member, intervene between a staff member and the director). The board hires the director to be the expert in management of the library, including the management of all other personnel. Policies governing job specifications, salaries, and other terms of employment are the responsibility of the board, while selection and supervision of personnel are part of the director's administrative duties.

There may be occasions when staff members go around the director and take their concerns and complaints directly to the board or to an individual board member. When this occurs, the staff member should be reminded that the board does not act on complaints from the staff except through a grievance procedure that is board policy. The proper procedure is to discuss the matter with the director. Any other action by overzealous board members will undermine the director's authority and probably produce the unhappy result of opposing factions and general disorganization within the library.

There are times when it is appropriate for board members to work with staff members. Some examples of when board members may work with staff members are: in committee settings, in the long-range planning process, if requested by the director to make reports at the board meeting, and when planning library social events.

A policy that reflects the relationship between the library board, the library director, and the staff should be adopted, and should be communicated to the staff in a direct, clear, and

Public Relations 7.1

Promoting the Library

Whether or not the library has a dedicated public relations or marketing employee, trustees indirectly assume that role when they accept their board positions. Opportunities to promote the library happen daily.

By forming and maintaining relationships with decision makers, library patrons, and the general public, trustees will help position the library for future growth as it continues evolving to meet changing needs. Remember that any public messages must be agreed by the board and director to convey unity of intention.

Libraries need public relations support for a number of reasons:

Libraries are competing with online information providers, television, gaming, social activities, and commercial booksellers for the public's attention.

Because libraries are well regarded by most people, the library's needs may not be evident. Educating ongoing and potential patrons, decision makers, and elected officials will translate into additional support for the library.

A strong need exists to increase public awareness about the reliable, academic information and professional resources available through public libraries.

The benefits of a community library are not always obvious to the general public. It is vitally important to advocate for public libraries and promote their programs and services. Trustees are expected to be familiar with their library's offerings and tell others about them.

Aside from community job creation and free access to materials, public libraries provide tangible economic benefits to all who use them. Consider these statistics from the Virginia's 2018 Public Library annual reports*:

> Virginia's public libraries expended $300,680,942 and employed the full-time equivalent of 4,318 staff.
>
> In 2018, Virginia public libraries served 4,959,766 registered borrowers who made almost 33,943,329 total visits to their library.
>
> During those visits, there were 6,393,063 uses of internet-connected public computers, and nearly 54,873,076 items were circulated.
>
> In 2018, 749,412 people attended summer reading programs for all ages
>
> Virginians were served at 376 public library locations throughout the state.

**This is the most recent information available at press time. Please see your library director for the most current statistics.*

Public Relations 7.2

Actively Communicating with Stakeholders

Boards having the greatest success in marketing their library have a public relations plan for each upcoming year and revisit that plan at each board meeting. This plan can address misperceptions, clarify benefits, and strengthen relationships between the community and the library.

Whether it is through digital, written, or spoken messages, the imperative is for information about the library to be heard and heard often.

New ways of reaching the public—social media, chat, and text messaging—demonstrate that the library is keeping pace with technology. Strategic usage will also help to reach segments of the population that have come to rely on digital communications for staying connected.

Here are some ways trustees can support the library's public relations efforts:

- Write letters to the editor of the local newspapers—keep the messaging in line with the advocacy messages that are shared each month.
- Write a trustee column for your library's newsletter.
- Write or coordinate a blog for your library's website.
- Enlist others to spread the word about the benefits the library brings to the community. Using social media will give you prepared messages that are easy to share.
- Speak at local civic, professional, fraternal, and social group meetings to educate members about the benefits of the library.
- Welcome attendees at programs; briefly tell them more about what their library is doing for them.
- Present certificates of appreciation to Friends and volunteers.
- Donate time to set up an informational display.
- Represent the library at community events.
- Participate in library fundraisers.
- Tell your library's story everywhere you go.

Trustees' active participation in promoting their community library helps to:

- Increase the library's usage
- Promote the services and programs offered
- Refresh a potentially dated perception of libraries
- Generate or strengthen social, emotional, political, and financial support for the library
- Communicate a strong sense of value related to public libraries

APPENDIX

36 Governing and advisory boards: Duties and responsibilities

37 Golden rules for board members

38 New trustee orientation plan (sample)

40 Public library board of trustees job description

41 Library board member agreement (sample)

42 Consent agenda

43 Traditional agenda for the meeting of a local library board (sample)

44 Board self-evaluation

47 Code of ethics for library trustees (sample)

48 Sample public survey

51 Sample interview questions

53 Sample evaluation form for library director

56 Sample motion for closed session

57 Select Virginia library laws

65 Requirements that must be met in order to receive grants-in-aid

67 Requirements that must be met by libraries serving a population of fewer than 5,000 in order to receive state grants-in-aid

68 Other laws relating to public libraries in Virginia

GOVERNING	ADVISORY
1. Employ a competent and qualified library director. Maintain an ongoing performance evaluation process for the director.	1. Recommend a competent and qualified library director.
2. Determine the mission, goals, and objectives of the library. Adopt written policies governing the library.	2. Consider and recommend written policies governing the library.
3. Secure adequate funds to carry out the library's programming. Assist in the preparation of the annual budget. Officially approve budget requests.	3. Participate in efforts to secure adequate funds to carry out the library's programming.
4. Ensure that the library has a long-range planning process that can be implemented and evaluated. Bring awareness of the library's strengths and weaknesses to this process.	4. Assist in formulating a long-range planning process that can be implemented and evaluated. Bring awareness of the library's strengths and weaknesses to this process.
5. Be familiar with local, state, and federal library laws; actively support pending library legislation.	5. Be familiar with local, state, and federal laws; actively support pending library legislation.
6. Establish, support, and participate in a planned public relations program.	6. Establish, support, and participate in a planned public relations program.
7. Attend all board meetings and see that accurate records are kept on file at the library.	7. Attend all board meetings and see that accurate records are kept on file at the library.
8. Attend regional, state, and national trustee meetings and workshops.	8. Attend regional, state, and national trustee meetings and workshops.
9. Know the services of the Library of Virginia.	9. Know the services of the Library of Virginia.
10. Report regularly to the governing officials and the general public	10. Report regularly to the governing officials and the general public.

GOLDEN RULES FOR BOARD MEMBERS

1

Leave the actual management of the library to the library director. It is the library director's responsibility to select books, employ the staff, and supervise day-to-day operations.

2

After a policy or rule is adopted by the majority vote of the library board, do not criticize or re-voice your opposition publicly.

3

Respect confidential information. Do not divulge information regarding future board actions or plans until such action is officially taken.

4

Observe publicity and information policies of the board and library. Do not give information individually, but refer requests to the library director or appropriate representative to interpret policies.

5

Treat staff members and the library director in an objective manner. Under no circumstances listen to grievances of staff members or treat individual problems on your own. The library director is in charge of the staff and has administrative control up to the point where a grievance is presented to the library board as a whole.

6

Do not suggest hiring a relative or two members of the same family as library employees.

7

All rules and policies directed to the library director must be approved by a quorum of the board at a regular meeting. Even the chair should abide by this rule.

8

Do not hold board meetings without the library director.

9

Complaints from the public are the library director's responsibility. Continued dissatisfaction and problems should be taken up at the board meeting only if policy revision is necessary or legal ramifications are involved.

10

Assume full responsibility as a board member. If you are unable to attend meetings regularly and complete work delegated to you, resign so that an active member can be appointed.

NEW TRUSTEE ORIENTATION PLAN (SAMPLE)

Welcome
Introduce yourself (if you do not already know the new trustee), welcome the trustee to the board, thank the trustee for contributing his or her time and effort, and offer your support at any time throughout the trustee's term.

Session 1: Overview of Facility, Staff, and Services
Intended to give an overview of the library, its staff, and its services, the initial orientation meeting should be conducted by the board president (or his or her designee) and the library director.

Ideally, the session should include a tour of the facility and introductions to staff and volunteers. During the tour, the board president and library director can talk about the programs and services offered to the community.

This is a good time to provide the new trustee with reference material that will help him or her become more familiar with both the library and the board. A comprehensive packet will allow the new trustee to better prepare for upcoming meetings. The packet may include:

- A customizable binder
- A brief history of the library
- Your library's mission statement, major goals, and strategic plan
- Your library board's bylaws
- A calendar of upcoming board meetings
- A list of library board members and their contact information
- An organizational chart for the library, populated with pictures of each staff member if possible
- Minutes from the previous year's library board meetings
- A statistical report for the last full year and the current year to date
- The current library newsletter and calendar of programming
- Information about the library Friends group, along with a membership form.

Session 2: Budget, Advocacy, and Public Relations
The new trustee should now have a solid understanding of the library's mission, strategic plan, and activities. For this second session, it is time to talk about financial matters, as well as the advocacy and public relations efforts that will advance the library's operational and reserve funds. During this second orientation session, you may want to provide the trustee with related information, such as:

- A list and information about the community's municipal board members, including the municipal board's meeting schedule and contact information
- The most recent library annual report
- The library's current budget
- The board's current advocacy and public relations plans

Session 3: Operations and Policies

The final orientation session is designed to educate the new trustee on the daily operations of the library. Emphasis should be placed on the importance of the trustee-managed policies that guide the library director. Helpful materials may include:

- Key policies and information about how to access others
- Statistical report for the last full year and current year to date
- Role, name, and contact information for the Library of Virginia's consultant

PUBLIC LIBRARY BOARD OF TRUSTEES JOB DESCRIPTION

As the governing body, the Board of Trustees:

Advocates for the library within the community by:

- Ensuring adequate funding
- Establishing and supporting planned programs of public relations
- Meeting with local officials to communicate library issues
- Representing library patrons' concerns and their perspectives

Develops a strategic plan that:

- Guides and articulates the goals and objectives to be achieved
- Determines sound decision-making and priorities
- Measures the quality and effectiveness of services and programs
- Reflects contemporary library practices and future trends

Nurtures fiscal responsibility through:

- The preparation of a budget
- Scheduled monitoring of that budget and other financial progress reports
- Pursued opportunities, such as grants, campaign development, and other funds
- Communication of fiscal needs with supporting agencies
- Careful investments

Crafts policies that:

- Comply with all laws
- Form a framework of acceptable expected practices, behaviors, and procedures
- Support the mission, goals, and objectives of the library
- Outline personnel issues
- Describe courses of action when there is conflict
- Describe facilities use and access
- Are adopted, enforced, and updated

Ensures qualified leadership by:

- Hiring a library director who manages the day-to-day operations
- Evaluating the director annually

LIBRARY BOARD MEMBER AGREEMENT (SAMPLE)

I,_____, understand that as a member of the Board of Directors/Trustees of the_____, I have a legal and ethical responsibility to ensure that the organization does the best work possible in pursuit of its goals. I believe in the purpose and the mission of the organization, and I will act responsibly and prudently as its steward.

I understand that as part of my responsibilities as a board member:

1. I will actively assist the board in securing adequate funding for the library's future.
2. I will interpret the library's work and values to the community, represent the library, and act as an advocate for the library.
3. I will never exercise authority as a board member except when acting in a meeting with the full board or as delegated by the board.
4. I will make a personal financial contribution annually at a level that is meaningful to me and participate in fund development activities.
5. I will act in the best interests of the organization and excuse myself from discussions and votes where I or a family member has a conflict of interest.
6. I will keep confidential matters confidential.
7. I will stay informed about what is going on in the organization and take responsibility for making decisions on issues, policies, and board matters.
8. I will recognize the role of the board as a governing body and not a management body and work in good faith with the library director.
9. I will protect community members' freedom to read, view, and listen, which might mean setting aside my personal preferences.

If I do not fulfill these commitments, I expect the board president or his/her delegate to take appropriate action.

In turn, the library will:

1. Provide me with the minutes, library director's reports, and monthly financial statements so that I can meet the "prudent person" standards of the law
2. Work in good faith with me toward achievement of our goals
3. Offer me opportunities for professional development as a board member
4. Keep the lines of communication open so that I may stay informed

The library has provided me with an orientation with the library director and the board president (or his/her delegate) to explain to me the history, mission, values, programs, pressing issues, finances, facilities, bylaws, organizational chart, committees, key staff members, etc. I understand my rights and responsibilities under the library's bylaws and the law of the Commonwealth of Virginia.

Board Member Date

Board President Date

Adopted by the Library Board of Directors/Trustees on_____.

CONSENT AGENDA

A consent agenda allows meeting participants to focus on the group's highest priorities. The agenda represents a collection of items that are collectively voted on without discussion.

This type of agenda differentiates between routine matters not needing explanation and more complex issues which require discussion and action.

When properly used, the consent agenda follows seven steps:

1. Set the meeting agenda
2. Distribute materials in advance
3. Read materials in advance
4. Introduce the consent agenda at the meeting
5. Remove (if requested) an item from and accept the consent agenda
6. Approve the consent agenda
7. Document acceptance of the consent agenda

TRADITIONAL AGENDA FOR THE MEETING OF A LOCAL LIBRARY BOARD (SAMPLE)

The board's agenda is developed by the board president and the library director, and its content often arises via suggestions from the board and library staff. The agenda and standardized financial reports should be prepared in advance and distributed with related material prior to the meetings.

Note: Many boards include a special agenda item for any comment from the audience. Others allow the public to participate as items are considered.

ORDER OF BUSINESS

This is a call to order and a recording of attendance. If there is an audience, it is a courtesy to call the roll or to have nameplates. Here you can include the presentation of the consent agenda (see page 11 for more about consent agendas). There needs to be a determination that a quorum exists.

Here is included a presentation of the minutes from the previous meeting. It is not necessary to read the minutes aloud. There is a call for any corrections or additions. Corrections should be carefully recorded and read. Actions cannot be changed or any subsequent happenings added. This presentation ends with a motion to accept.

REPORT OF THE LIBRARY DIRECTOR

This is a report on library progress, activities, and issues. It can include any community feedback.

REPORT OF THE TREASURER

REPORT OF THE PRESIDENT AND TRUSTEES' COMMENTS

Trustees should report on their library-related activities, including meetings attended and community contacts made.

POLICY PROBLEMS

This agenda item includes operating problems that may require board actions, a shift in policies, new policies, or policy interpretation. Library directors and trustees should evaluate existing policies and recommend changes and updates. Problems requiring background information (such as repair estimates, budget shifts, or staff requirements) should be explained as part of the agenda.

PLANNING

This agenda item involves committee reports and evaluation of progress on existing plans. Advocacy and public relations planning may be included.

OLD BUSINESS

This is a category for finishing off an item or completing an action. Each item of old business should be listed by "title" and status.

NEW BUSINESS

Trustees tell the president what business is to be raised.

THE BOARD SELF-EVALUATION

Successful board teams pay attention to the process behind how they operate. Just as they evaluate the progress of their library, they must also assess the operation of the board team and determine how they can do this job better.

It's up to the library board to hold itself accountable for good performance. To do that correctly, the board should take time every year to formally evaluate board performance. The purpose of the evaluation is not to find fault with board members or the full board, but to examine strengths and weaknesses. The formal self-evaluation should be followed with a plan to improve board performance.

Does the board prepare to do its job by:

1.	Conducting a thorough orientation for all new board members?	❑ Yes ❑ No
2.	Integrating new members into the team as quickly as possible?	❑ Yes ❑ No
3.	Participating in continuing education?	❑ Yes ❑ No
4.	Providing regular board development activities for all board members?	❑ Yes ❑ No
5.	Performing an annual self-evaluation of board operations?	❑ Yes ❑ No
6.	Providing all board members with copies of the mission statement, bylaws, ordinance, plan, library laws, and all other important documents of the library?	❑ Yes ❑ No
7.	Touring all facilities at least once a year?	❑ Yes ❑ No

Does the board ensure good meetings by:

1.	Limiting most meetings to two hours or less?	❑ Yes ❑ No
2.	Providing a comfortable meeting room conducive to business?	❑ Yes ❑ No
3.	Convening and adjourning on time?	❑ Yes ❑ No
4.	Having the board chairperson lead the meetings?	❑ Yes ❑ No
5.	Sticking to the prepared agenda?	❑ Yes ❑ No
6.	Ensuring the board has enough information to make decisions?	❑ Yes ❑ No

7.	Working for consensus rather than fighting for a majority?	❑ Yes ❑ No
8.	Discussing issues cordially, avoiding personal attack?	❑ Yes ❑ No
9.	Following a business-like system of parliamentary rules?	❑ Yes ❑ No
10.	Including the director as a resource for all deliberations?	❑ Yes ❑ No
11.	Confining all discussion to policy issues and avoiding management issues?	❑ Yes ❑ No
12.	Allowing/encouraging all board members to participate in discussion and not letting one or two persons dominate?	❑ Yes ❑ No

Do individual board members:

1.	Attend at least 90 percent of all board meetings and committee meetings to which they're assigned?	❑ Yes ❑ No
2.	Come to meetings prepared?	❑ Yes ❑ No
3.	Come to meetings on time?	❑ Yes ❑ No
4.	Feel free to express even dissenting viewpoints?	❑ Yes ❑ No
5.	Leave meetings with a feeling of accomplishment?	❑ Yes ❑ No
6.	See themselves as part of a team effort?	❑ Yes ❑ No
7.	Act as advocates for the library?	❑ Yes ❑ No
8.	Know their responsibility as board members of the library?	❑ Yes ❑ No
9.	Attempt to exercise authority only during official meetings of the board?	❑ Yes ❑ No
10.	Represent the broad interest of the library and all constituents, not special interests?	❑ Yes ❑ No
11.	Understand that the most effective way to govern is to delegate management to the director?	❑ Yes ❑ No

Does the board plan for the future of the library by:

1.	Annually reviewing and approving the mission statement?	❑ Yes ❑ No
2.	Annually reviewing yearly objectives/work plan?	❑ Yes ❑ No
3.	Annually reviewing progress toward the long-range plan and modifying the long-range plan?	❑ Yes ❑ No
4.	Having board committees work and produce results?	❑ Yes ❑ No
5.	Operating from opportunity rather than crisis to crisis?	❑ Yes ❑ No

In which of the major categories above does the board show real strengths? In which of the major categories above does the board need improvement?

CODE OF ETHICS FOR LIBRARY TRUSTEES (SAMPLE)

As a member of this board, I will:

- Represent the interests of all people served by this library and not favor special interests
- Participate in advocacy efforts to protect and advance the library's progress
- Respect the trust of those who elected or appointed me to the board, and respect the trust of those we serve
- Divulge conflicts of interest and avoid using my board position for my personal advantage or that of my family, friends, and significant others
- Abide by all policies and procedures approved by the board
- Respect the need for confidentiality
- Publicly support policies adopted by the board
- Include the library director in board meetings, planning, and decision-making as appropriate
- Abide by the library's public relations and information policies
- Refer patron needs to the library director
- Attend meetings regularly and participate actively
- Listen to others with an open mind and show respect for their opinions
- Speak positively about the library, as well as its staff and volunteers

Signature: _____

Date: _____

SAMPLE PUBLIC SURVEY

Please take a moment to answer this anonymous survey about the library. All questions are optional.

Section 1: Please check <u>one</u> answer for each of the following:

1. Do you have a library card?

Yes	No
☐	☐

2. On average, how often do you visit the library?

Daily	Weekly	Monthly	Less than once a month	Never
☐	☐	☐	☐	☐

3. How would you rate each of the following library services?

	Excellent	Good	Fair	Poor	Don't know/Not applicable
Customer service	☐	☐	☐	☐	☐
Collection (books, DVDs, music, newspapers, etc.)	☐	☐	☐	☐	☐
Programs (classes, storytimes, etc.)	☐	☐	☐	☐	☐
Online services (website, catalog, research databases, etc.)	☐	☐	☐	☐	☐
ILL (Inter-library loan)	☐	☐	☐	☐	☐
Library policies	☐	☐	☐	☐	☐
Computers and printers	☐	☐	☐	☐	☐
Internet access	☐	☐	☐	☐	☐
Facilities	☐	☐	☐	☐	☐
Hours of operation	☐	☐	☐	☐	☐
Overall, how would you rate the library?	☐	☐	☐	☐	☐

4. How important is each of the following library services to you?

	Very Important	Important	Somewhat Important	Not Important	Don't know/Not Applicable
Borrowing materials (books, DVDs, music, etc.)	☐	☐	☐	☐	☐
Reference (research assistance from librarians)	☐	☐	☐	☐	☐
Programs (classes, storytimes, etc.)	☐	☐	☐	☐	☐
Computers and printers	☐	☐	☐	☐	☐
Help using computers, printers, etc.	☐	☐	☐	☐	☐
Study rooms/reading areas	☐	☐	☐	☐	☐
Community meeting rooms	☐	☐	☐	☐	☐
Internet access	☐	☐	☐	☐	☐
ILL (Inter-library loan)	☐	☐	☐	☐	☐
Online services (website, catalog, research databases, etc.)	☐	☐	☐	☐	☐
Photocopier	☐	☐	☐	☐	☐
Newspapers and magazines	☐	☐	☐	☐	☐
Bookmobile	☐	☐	☐	☐	☐
Homebound services	☐	☐	☐	☐	☐
Overall, how important is the library to you and your family?	☐	☐	☐	☐	☐

Section 2: We value your opinions. Please answer the following questions:

5. What do you value most about the library?

6. How could the library or its services be improved, if at all?

7. How does the library benefit you or the community?

Thank you for your time! If you have questions about this survey or about the library, please contact us at yourcontactinfo@yourlibrary.com.

SAMPLE INTERVIEW QUESTIONS FOR A POTENTIAL LIBRARY DIRECTOR

Describe in detail what experience you have in researching, evaluating, and requesting public or private grant monies.

We now know that our budget has been significantly reduced. What fundraising endeavors would you like to implement?

How would you explain to county commissioners or other government agencies why the library needs increased funding?

How would you raise the visibility of the library throughout the community?

What do you feel is the library director's role within the larger community (outside of the walls of the library)?

Our town is rapidly becoming a culturally diverse community. How do you think the library could reach out to that diverse population and continue to create new library users?

Service to children and young adults is very important to our library. Working along with the children's librarian, how do you think you could contribute to the program's success in the library and the community?

Have you ever done any public or group speaking?

How do you see public libraries integrating into communities ten years from now? What can you do for us that someone else can't do?

Tell us about your education, work experience (including supervisory, budget, and facility management), special skills (including computer use), and accomplishments that you feel qualify you for this position.

What do you consider to be your major accomplishments in your current job?

We know that our staff is very nervous about a new library director coming in and the changes that will occur. How will you make this transition with them so that they will be more at ease?

What will you do on the first day with them?

What techniques do you use to motivate staff?

What is your management style? How would you describe your basic leadership style?
Give specific examples of how you practice this.

Tell us about the most difficult personnel problem that you've managed. How did you handle it? How was it resolved?

How would you create or identify opportunities for staff development?

What would you most like to accomplish if you had this job?

What was your most difficult decision in the last six months? What made it difficult?

What are the primary tasks of a public library and who should handle those tasks?

Talk about the role of technology in the public library and how you would incorporate technology at our library.

If you were coming to a library with no programs, what programs would you initiate first?

Date:

Instructions: Each board member should complete this form and return it to the board president. The summarization and individual responses will be used during the library director's evaluation. Please be specific with your comments, noting both areas of strength and areas for improvement. Thank you.

Scale: Excellent (E); Satisfactory (S); Needs Improvement (N); Unknown (U) ***please circle one***

Public Relations

Level of patron satisfaction

Level of customer service

Consistent application of policies related to the public

Creation and maintenance of positive working relationships with municipalities, community groups, schools, and other organizations

Awareness of and response to community needs

Use of existing processes to provide feedback to public

Ongoing marketing of library services

Comments:

Organizational Development

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Organizational Development, Continued

Comments:

Administration

Effectively assigned and appropriately delegated work flow	E	S	N	U
Clear and current job descriptions with performance evaluations conducted regularly and with proper documentation	E	S	N	U
Effectively communicated and implemented federal and state regulations, as well as library policies	E	S	N	U
Staff development and continuing education	E	S	N	U
Talented staff attracted by the library's reputation and work environment	E	S	N	U
Comments:	E	S	N	U

Financial Management

Sound financial practices with proper control and accounting	E	S	N	U
Budget prepared with input from staff and trustees	E	S	N	U
Library operating within approved budget guidelines	E	S	N	U
Official records and documents maintained in compliance with federal, state, and local regulations and reporting requirements	E	S	N	U
Positive relationships with government, foundation, corporate, and individual donors	E	S	N	U
Funds disbursed in accordance with budget, contract/grant requirements, and donor designations	E	S	N	U
Consistently developed additional sources of revenue	E	S	N	U

Comments:

Board Relationship

Appropriate, adequate, and timely information shared to the board	E	S	N	U
Well-supported board committees	E	S	N	U
Well-informed board on library issues and influences	E	S	N	U

Comments:

MOTION FOR CLOSED SESSION (for discussion of employee performance) (SAMPLE)

For the closed session, the following motions must be made:

1. Motion to Enter Closed Session (Roll call vote required): "I move that the Board convene in closed session pursuant to Section 2.2-3711 (A) (1) of the *Code of Virginia* for the purpose of employee performance review.

2. Motion to Exit Closed Session: "I move that the Board exit the closed session."

3. Motion to Certify (Roll call vote required): "I move that the Board certify that to the best of each member's knowledge, only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the motion authorizing the closed session were heard, discussed, or considered in the closed session."

SELECTED VIRGINIA LIBRARY LAWS

Selected Laws Governing the Library of Virginia

§42.1-1. The Library of Virginia. The Library of Virginia is hereby declared an educational institution and an institution of learning. The Library of Virginia shall be the library agency of the Commonwealth, the archival agency of the Commonwealth, and the reference library at the seat of government. It shall have the following powers and duties:

(1) [Repealed.]

(2) To accept gifts, bequests and endowments for the purposes which fall within the general legal powers and duties of The Library of Virginia. Unless otherwise specified by the donor or legator, the Library may either expend both the principal and interest of any gift or bequest or may invest such sums as the Board deems advisable, with the consent of the State Treasurer, in securities in which sinking funds may be invested. The Library shall be deemed to be an institution of higher education within the meaning of §23-9.2;

(3) To purchase and maintain a general collection of books, periodicals, newspapers, maps, films, audiovisual materials and other materials for the use of the people of the Commonwealth as a means for the promotion of knowledge within the Commonwealth. The scope of the Library's collections shall be determined by the Library Board on recommendation of the Librarian of Virginia, and, in making these decisions, the Board and Librarian of Virginia shall take into account the book collections of public libraries and college and university libraries throughout the Commonwealth and the availability of such collections to the general public. The Board shall make available for circulation to libraries or to the public such of its materials as it deems advisable;

(4) To give assistance, advice and counsel to other agencies of the Commonwealth maintaining libraries and special reference collections as to the best means of establishing and administering such libraries and collections. It may establish in The Library of Virginia a union catalogue of all books, pamphlets and other materials owned and used for reference purposes by all other agencies of the Commonwealth and of all books, pamphlets and other materials maintained by libraries in the Commonwealth which are of interest to the people of the whole Commonwealth;

(5) To fix reasonable penalties for damage to or failure to return any book, periodical or other material owned by the Library, or for violation of any rule or regulation concerning the use of books, periodicals, and other materials in custody of the Library;

(6) To give direction, assistance and counsel to all libraries in the Commonwealth, to all communities which may propose to establish libraries, and to all persons interested in public libraries, as to means of establishment and administration of such libraries, selection of books, retrieval systems, cataloguing, maintenance, and other details of library management, and to conduct such inspections as are necessary;

(7) To engage in such activities in aid of city, county, town, regional and other public libraries as will serve to develop the library system of the Commonwealth;

(8) To administer and distribute state and federal library funds in accordance with law and its own regulations to the city, county, town and regional libraries of the Commonwealth; and

(9) To enter into contracts with other states or regions or districts for the purpose of providing cooperative library services.

Wherever in this title and the *Code of Virginia* the terms "State Library" or "Library" appear, they shall mean The Library of Virginia. (Code 1950, §42-33; 1970, c. 606; 1984, cc. 389, 734; 1986, c. 565; 1987, c. 458; 1994, c. 64; 1998, c. 427.)

§42.1-2. The Library of Virginia under direction of Library Board; membership; chairman and vice-chairman; committees and advisory bodies. The Library of Virginia shall be directed by a board, consisting of fifteen members, to be appointed by the Governor, which shall be and remain a corporation under the style of "The Library Board," sometimes in this chapter called the Board. Prior to such appointments the Board may submit to the Governor lists of candidates based upon interest and knowledge, geographic representation, participation in community affairs, and concern for the welfare of the Commonwealth. In no case shall the Governor be bound to make any appointment from among the nominees of the Board. The Board shall meet and organize by electing from its number a chairman and vice-chairman. It shall have the power to appoint such committees and advisory bodies as it deems advisable. (Code 1950, §42-34; 1968, c. 122; 1970, c. 606; 1986, c. 565; 1987, c. 458; 1994, c. 64.)

§42.1-13. Appointment; terms of office; employment; duties. The Board shall appoint a librarian, to be known as the Librarian of Virginia, who shall serve at the pleasure of the Board. The Librarian of Virginia shall appoint principal assistants and approve the appointment of other employees. The terms of office and employment of such assistants and employees shall be subject to the personnel regulations of the Commonwealth.

The Librarian of Virginia shall supervise the administration of The Library of Virginia. The Librarian of Virginia shall make requests for appropriations of necessary funds and approve all expenditures of Library funds. Such expenditures shall be made as provided by law. (Code 1950, §42-48; 1970, c. 606; 1984, c. 444; 1985, c. 397; 1986, c. 565; 1994, c. 64; 1996, c. 812; 1998, c. 427.)

Certification Law

§42.1-15.1. Qualifications required to hold professional librarian position. Public libraries serving a political subdivision or subdivisions having a population greater than 13,000 and libraries operated by the Commonwealth or under its authority shall not use funds derived from any state aid to employ, in the position of librarian or in any other full-time professional librarian position, a person who does not meet the qualifications established by the State Library Board.

A professional librarian position as used in this section is one that requires a knowledge of books and of library technique equivalent to that required for graduation from any accredited library school or one that requires graduation from a school of library science accredited by the American Library Association.

No funds derived from any state aid shall be paid to any person whose employment does not comply with this section.

This section shall not apply to law libraries organized pursuant to Chapter 4 (§42.1-60 et seq.) of this title, libraries in colleges and universities or to public school libraries. (1988, c. 716; 2004, c. 559.)

§42.1-33. Power of local government to establish and support libraries. The governing body of any city, county or town shall have the power to establish a free public library for the use and benefit of its residents. The governing body shall provide sufficient support for the operation of the library by levying a tax therefore, either by special levy or as a fund of the general levy of the city, county or town. The word "support" as used in this chapter shall include but is not limited to, purchase of land for library buildings, purchase or erection of buildings for library purposes, purchase of library books, materials and equipment, compensation of library personnel, and all maintenance expenses for library property and equipment. Funds appropriated or contributed for public library purposes shall constitute a separate fund and shall not be used for any but public library purposes.

§42.1-34. Power of local governments to contract for library service. Any city, town or county shall have the power to enter into contracts with adjacent cities, counties, towns, or state-supported institutions of higher learning to receive or to provide library service on such terms and conditions as shall be mutually acceptable, or they may contract for a library service with a library not owned by a public corporation but maintained for free public use. The board of trustees of a free public library may enter into contracts with county, city or town school boards and boards of school trustees to provide library service for schools. Any city or county governing body contracting for library service shall, as a part of such contract, have the power to appoint at least one member to the board of trustees or other governing body of the library contracting to provide such service. Any city or county thus contracting for library service shall be entitled to the rights and benefits of regional free library systems established in accordance with the provisions of 42.1-37. The board of trustees or other governing body of any library established under the provisions of 42.1-33 may also, with the approval of and on terms satisfactory to the State Library Board, extend its services to persons in adjacent areas of other states.

§42.1-35. Library boards generally. The management and control of a free public library system shall be vested in a board of not less than five members or trustees. They shall be appointed by the governing body, chosen from the citizens at large with reference to their fitness for such office. However, one board member or trustee may be a member or an employee of the local governing body. Initially members may be appointed as follows: one member for a term of one year, one member for a term of two years, one member for a term of three years, and the remaining members for terms of four years; thereafter all members shall be appointed for terms of four years. The governing body of any county or city entitled to representation on a library board of a library system of another jurisdiction pursuant to 42.1-34 shall appoint a member to serve for a term of four years, or until the contract is terminated, whichever is shorter. Vacancies shall be filled for unexpired terms as soon as possible in the manner in which members of the board are regularly chosen. A member shall not receive a salary or other compensation for services as a member but necessary expenses actually incurred shall be paid from the library fund. However, the governing body of Fairfax County may pay members of its library board such compensation as it may deem proper. A member of a library board may be removed for misconduct or neglect of duty by the governing body making the appointment. The members shall adopt such bylaws, rules and regulations for their own guidance and for the government of the free public library system as may be expedient. They shall have control of the expenditures of all moneys credited to the library fund. The board shall have the right to accept donations and bequests of money, personal property, or real

estate for the establishment and maintenance of such free public library systems or endowments for same.

§42.1-36. Boards not mandatory. The formation, creation or continued existence of boards shall in nowise be considered or construed in any manner as mandatory upon any city or town with a manager, or upon any county with a county manager, county executive, urban county manager or urban county executive form of government, or the Counties of Chesterfield and Shenandoah, by virtue of this chapter.

§42.1-36.1. Power and duty of library boards and certain governing bodies regarding acceptable Internet use policies.

A. On or before December 1, 1999, and biennially thereafter, (i) every library board established pursuant to 42.1-35 or (ii) the governing body of any county, city, or town which, pursuant to 42.1-36, has not established a library board pursuant to 42.1-35, shall file with the Librarian of Virginia an acceptable use policy for the international network of computer systems commonly known as the Internet. At a minimum, the policy shall contain provisions which (i) are designed to prohibit use by library employees and patrons of the library's computer equipment and communications services for sending, receiving, viewing, or downloading illegal material via the Internet, (ii) seek to prevent access by library patrons under the age of eighteen to material which is harmful to juveniles, and (iii) establish appropriate measures to be taken against persons who violate the policy. The library board or the governing body may include such other terms, conditions, and requirements in the library's policy as it deems appropriate, such as requiring written parental authorization for Internet use by juveniles or differentiating acceptable uses between elementary, middle, and high school students.

B. The library board or the governing body shall take such steps as it deems appropriate to implement and enforce the library's policy which may include, but are not limited to, (i) the use of software programs designed to block access by (a) library employees and patrons to illegal material or (b) library patrons under the age of eighteen to material which is harmful to juveniles or (c) both; (ii) charging library employees to casually monitor patrons' Internet use; or (iii) installing privacy screens on computers which access the Internet.

C. On or before December 1, 2000, and biennially thereafter, the Librarian of Virginia shall submit a report to the Chairmen of the House Committee on Education, the House Committee on Science and Technology, and the Senate Committee on Education and Health which summarizes the acceptable use policies filed with the Librarian pursuant to this section and the status thereof.

§42.1-37. Establishment of regional library system. Two or more political subdivisions (counties or cities), by action of their governing bodies, may join in establishing and maintaining a regional free library system under the terms of a contract between such political subdivisions; provided, that in the case of established county or city free library systems, the library boards shall agree to such action.

§42.1-38. Agreements to create regional boards. Two or more political subdivisions (counties or cities) which have qualified for participation in the state's regional library program, have been recognized as a region by the State Library Board, and have made the minimum local appropriation of funds as may now or hereafter be recommended by the Board, are hereby empowered and authorized to

execute contracts with each other to create a regional library board to administer and control the regional library services within the region. Each jurisdiction shall, as a part of such contract, have the power to appoint at least one member to the regional library board.

§42.1-39. Regional library boards generally. The members of the Board of a regional library system shall be appointed by the respective governing bodies represented. If the board of the regional library system is composed of two or more members from each county, city and town that is a part thereof, then each governing body represented on the board may appoint a member or an employee of the governing body to the board. Such members shall in the beginning draw lots for expiration of terms, to provide for staggered terms of office, and thereafter the appointment shall be for a term of four years. Vacancies shall be filled for unexpired terms as soon as possible in the manner in which members are regularly chosen. No appointive member shall be eligible to serve more than two successive terms. A member shall not receive a salary or other compensation for services as member, but necessary expenses actually incurred shall be paid from the library fund. A regional board member may be removed for misconduct or neglect of duty by the governing body making the appointment. The board members shall elect officers and adopt such bylaws, rules and regulations for their own guidance and for the government of the regional free library system as may be expedient. They shall have control of the expenditure of all moneys credited to the regional free library fund. The regional board shall have the right to accept donations and bequests of money, personal property, or real estate for the establishment and maintenance of such regional free library system or endowments for same.

§42.1-40. Powers of regional library board. The regional library board shall have authority to execute contracts with the State Library Board, with the library boards of the respective jurisdictions, and any and all other agencies for the purpose of administering a public library service within the region, including contracts concerning allocation and expenditure of funds, to the same extent as the library board of any one of the jurisdictions which are parties to the agreement would be so authorized. In addition, to effectuate the purposes of this chapter, a regional library board is empowered to sell the surplus assets, including real estate, of the said regional library board if the net proceeds therefrom are used for public library services within the region.

§42.1-41. Funds and expenses of regional library system. The expenses of the regional library system shall be apportioned among the participating political subdivisions on such basis as shall be agreed upon in the contract. The treasurer of the regional library board shall have the custody of the funds of the regional free library system; and the treasurers or other financial officers of the participating jurisdictions shall transfer quarterly to him all moneys collected or appropriated for this purpose in their respective jurisdictions. Such funds shall be expended only for the library service for which the county or city contracted and for no other purpose. The regional library board shall furnish a detailed report of receipts and disbursements of all funds at the regular meeting of the governing body of every participating jurisdiction after the close of the state's fiscal year. It shall make a similar report to the Library of Virginia. The treasurer of the board shall be bonded for an amount to be determined by the board. The board may authorize the treasurer to pay bond premiums from state aid library funds.

§42.1-42. Withdrawal from regional library system. No county or city participating in a regional library system shall withdraw therefrom without two years' notice to the other participating

counties and cities without the consent of such other participating political subdivisions.

§42.1-43. Appropriation for free library or library service conducted by company, society or organization. The governing body of any county, city or town in which no free public library system as provided in this chapter shall have been established, may, in its discretion, appropriate such sums of money as to it seems proper for the support and maintenance of any free library or library service operated and conducted in such county, city or town by a company, society or association organized under the provisions of 13.1-801 through 13.1-980.

§42.1-44. Cooperative library system for Henrico and Chesterfield Counties and City of Richmond. Notwithstanding the repeal of Title 42 of the *Code of Virginia*, 42-12.1 to 42-12.5 of Chapter 2.1 of former Title 42 are continued in effect and are incorporated into this title by reference.

§42.1-45. Transfer of properties, etc. of public free library to governing body of city in which it is situated. The board of directors or trustees of any public free library established pursuant to Chapter 13, Acts of Assembly, 1924, approved February 13, 1924, may lease, convey, or transfer any interest to its properties, real or personal, to the governing body of the political subdivision in which such library be situated in order that such library may become a part of the public library system of such city, subject to such restrictions and conditions as may be agreed to by such board of directors or trustees and such governing body.

Laws Governing Grants-In-Aid to Public Libraries

§42.1-46. Library policy of the Commonwealth. It is hereby declared to be the policy of the Commonwealth, as a part of its provision for public education, to promote the establishment and development of public library service throughout its various political subdivisions.

§42.1-47. Grants for development of library service. In order to provide State aid in the development of public library service throughout the State, the Library Board, in this chapter sometimes called the Board, shall grant from such appropriations as are made for this purpose funds to provide library service.

§42.1-48. Grants to improve standards. In order to encourage the maintenance and development of proper standards, including personnel standards, and the combination of libraries or library systems into larger and more economical units of service, grants of state aid from funds available shall be made by the Board to any free public library or library system which qualifies under the standards set by the Board. The grants to each qualifying library or system in each fiscal year shall be as follows:

(a) Forty cents of state aid for every dollar expended, or to be expended, exclusive of state and federal aid, by the political subdivision or subdivisions operating or participating in the library or system. The grant to any county or city shall not exceed $250,000;

(b) A per capita grant based on the population of the area served and the number of participating counties or cities: Thirty cents per capita for the first 600,000 persons to a library or system serving one city or county, and an additional ten cents per capita for the first 600,000 persons for each additional city or county served. Libraries or systems serving a population in excess of 600,000 shall receive ten

cents per capita for the excess; and

(c) A grant of ten dollars per square mile of area served to every library or library system, and an additional grant of twenty dollars per square mile of area served to every library system serving more than one city or county.

The Board may establish procedures for the review and timely adjustment of such grants when the political subdivision or subdivisions operating such library or library system are affected by annexation.

§42.1-49. Grants to municipal libraries. Every qualifying municipal library serving an area containing less than 5,000 population shall receive its proper share, but not less than $400.

§42.1-50. Limitation of grants; proration of funds. The total amount of grants under 42.1-48 and 42.1-49 shall not exceed the amount expended, exclusive of state and federal aid, by the political subdivision or subdivisions operating the library. If the state appropriations provided for grants under 42.1-48 and 42.1-49 are not sufficient to meet approved applications, the Library Board shall prorate the available funds in such manner that each application shall receive its proportionate share of each type of grant. Applications must be received prior to June one of each calendar year.

§42.1-51. Obligations of libraries and systems receiving aid. The obligations of the various library systems and libraries receiving state aid, shall consist of establishing and maintaining an organization as approved by the Board, provided that personnel standards of such library systems and libraries shall conform to the provisions of 42.-15.1. All books and bookmobiles purchased with state aid funds shall, if the Board so determines, become the property of the Library of Virginia in the case of any library system or library which does not meet its obligations as determined by the Board.

§42.1-52. Standards of eligibility for aid; reports on operation of libraries; supervision of services. The Board shall establish standards under which library systems and libraries shall be eligible for state aid and may require reports on the operation of all libraries receiving state aid.

As long as funds are available, grants shall be made to the various libraries, library systems or contracting libraries applying for state aid in the order in which they meet the standards established by the Board.

In the event that any library meets the standards of the State Library Board but is unable to conform to 42.1-15 relating to the employment of qualified librarians, the Library Board may, under a contractual agreement with such library, provide professional supervision of its services and may grant state aid funds to it in reduced amounts under a uniform plan to be adopted by the State Library Board.

§42.1-54. Procedure for purchase of books, materials and equipment and payment on salaries. All proposals for books, materials and equipment to be purchased with state aid funds and all proposals for aid in the payment of salaries of certified librarians shall be submitted for approval to the Library of Virginia by the libraries, library systems or contracting libraries applying for state aid, in form prescribed by the Board, and those approved may be ordered by the libraries, library systems or contracting libraries. Payments and disbursements from the funds appropriated for this purpose shall be made by the State Treasurer upon the approval of the duly authorized representative of the Board, to the libraries, library systems or contracting libraries within thirty days of the beginning of each quarter.

§42.1-55. Free service available to all. The service of books in library systems and libraries receiving state aid shall be free and shall be made available to all persons living in the county, region, or municipality.

§42.1-56. Meaning of term "books." The term "books" as used in this chapter may be interpreted in the discretion of the Board to mean books, magazines, newspapers, appropriate audiovisual materials and other printed matter.

§42.1-57. Authority of Library Board to accept and distribute federal funds. The Library Board is empowered, subject to approval of the Governor, to accept grants of federal funds for libraries and to allocate such funds to libraries under any plan approved by the Board and the appropriate federal authorities. Such allocations shall not be subject to the restrictions of this chapter.

§42.1-58. Agreements providing for expenditure of federal and matching funds. The Library Board and the cities and counties of the Commonwealth are authorized to enter into agreements providing for the supervision of the expenditure of federal funds allocated to such cities and counties and matching funds provided by such political subdivisions. Such agreement shall set forth the standards and conditions with respect to the expenditure of such funds.

REQUIREMENTS THAT MUST BE MET IN ORDER TO RECEIVE GRANTS-IN-AID (VAC 15-110-10)

In order to qualify for grants-in-aid, all libraries serving more than 5,000 persons must meet the following requirements by July 1, 1992:

1. Be organized under the appropriate section of the *Code of Virginia*. Not more than one library in a county or regional library system or a municipal government unit may receive a grant.

2. Submit to the State Library Board:

Charter, resolution, or other legal papers under which they are organized.

A copy of the by-laws of the board of trustees, a list of trustees, revised as change occur.

A five-year plan, adopted by the governing body of the library service in the area (or areas) served. In order to receive continuing grants, this plan must be updated annually.

A written statement of policy covering such items as: service, personnel, and maintenance of book collections and other materials.

Statistical and financial reports including audits and statements of progress of the plan as requested.

A copy of the budget for the expenditure of local funds, not including anticipated state and federal funds. This must be submitted annually.

3. Have local operating expenditures of at least 50 percent of the median statewide local operating expenditures per capita, two-thirds of which must be from taxation or endowment. The median shall be recalculated each biennium. Libraries obtaining aid for the first time or those falling below the 50 percent median must meet the requirement within five years. Libraries that fall below 50 percent of the median in local expenditures per capita must submit a plan to the State Library Board for reaching the minimum requirement. The plan must include a schedule of annual increases in local expenditures of not less than 20 percent of the amount needed to attain local per capita expenditures of 50 percent of the median within five years.

Local operating expenditures from taxation or endowment for any library, or library system, shall not fall below that of the previous year. In cases where the budgets of all the departments of the local government are reduced below those of the previous year, the library's state grant-in-aid would be reduced. The State Library may require that the amount of such reduction in the library's total expenditure be subtracted from the library's eligibility and that the state grant be reduced accordingly. If the library's budget is reduced and other agencies' budgets are not, then the library would receive no state grant-in-aid and would be ineligible for one until local expenditures shall have again reached or exceeded the local effort at the time of the last previous grant.

The library would be ineligible for any federal funds if local funds are reduced below that of the previous year.

Grants-in-aid shall be used as supplements to local funds.

The amount of any undesignated balance in the local operating budget at the end of the fiscal year that exceeds 10 percent will be subtracted from the grant that is based on that year's expenditures.

4. Have certified librarians in positions as required by state law. Libraries failing to employ a certified librarian in the position of director will have their state aid grant reduced by 25 percent.

5. Keep open a headquarters library or centrally located branch at least 40 hours a week for a full range of library services. This schedule must include at least three consecutive evening hours and appropriate weekend hours. Evening hours are defined as the hours after 5:00 PM.

6. Maintain an up-to-date reference collection and set up procedures for securing materials from other libraries through interlibrary loan.

7. Organize materials for convenient use through shelf arrangement, classification and cataloging, and provide a catalog of its resources.

8. Stimulate use of materials through publicity, displays, reading lists, story hours, book talks, book and film discussions, and other appropriate means.

9. Lend guidance in all outlets to individuals in the use of informational, educational, and recreational materials.

10. Maintain a collection of currently useful materials by annual additions and systematic removal of items no longer useful to maintain the purposes of quality of its resources. Have a telephone and the number of the telephone listed in the local telephone directory.

11. Provide the basic services listed in this section free of charge to the public as required by law.

12. Every regional, county, and city library serving an area of more than 400 square miles, or more than 25,000 persons, must provide some form of extension service acceptable to the board.

13. If the library system has two or more service units, either branches or stations, it must maintain a scheduled, frequent delivery system.

14. The Library Board may, at its discretion, make exceptions for a specified period of time to any single requirement listed above. The exception will be made only if the library can show that a real effort has been made to meet the requirement and that significant progress has been made toward meeting this requirement.

Approved by the State Library Board, March 13, 1991.

REQUIREMENTS THAT MUST BE MET BY LIBRARIES SERVING A POPULATION OF FEWER THAN 5,000 IN ORDER TO RECEIVE STATE GRANTS-IN-AID (17 VAC 15-90-10)

These requirements must be met by July 1, 1972, when full funding is anticipated.

In order to qualify for state grants-in-aid, all libraries shall meet the following requirements:

1. Be organized under the appropriate section of the *Code of Virginia.*

2. Submit to the State Library Board:

    Charter, resolutions, or other legal papers under which they are organized.

    A copy of the by-laws of the board of trustees, a list of trustees, revised as changes occur.

    A five-year plan, adopted by the governing body of the library (trustees or equivalent) for the development of library service in the area (areas) served. In order to receive continuing grants, any revisions in this plan must be submitted annually.

    A written statement of policy covering such items as: service, personnel, and maintenance of book collections and other materials.

    Statistical and financial reports including statements of progress of the plan as requested.

3. All libraries shall meet the following minimum requirements:

    Give at least 20 hours of public service per week.

    Provide adequate staff, with at least one paid employee working 20 hours a week while library is open.

    Have a collection of currently useful books of at least 5,000 volumes.

    Provide a minimum of 1,750 square feet of space.

    Be located on a site that is conveniently situated for service to the greatest number of people in the area.

    Add at least 200 currently useful books per year.

    Expend annually at least $3,000.00 per year in local funds, 2/3 of which must be from taxation or endowment. Local operating expenditures for any library, or library system, shall not fall below that of the previous year. The amount of any undesignated balance at the end of the fiscal year that exceeds 10 percent of the library's total budget will be subtracted from the grant that is based on that year's expenditures.

    Provide an author, subject, and title catalog.

    Provide a telephone.

It is strongly recommended that libraries in this category look toward joining larger units of service in order to meet recommended State standards.

Approved by the State Library Board, April 27, 1970.

OTHER LAWS RELATING TO PUBLIC LIBRARIES IN VIRGINIA

§ 30-140. Certain political subdivisions to file report of audit; period in which report kept as public record; when audit not required; sworn statement of exempted entities; publication of summary of financial condition; repeal of conflicting provisions.

A. Each authority, commission, district or other political subdivision the members of whose governing body are not elected by popular vote shall annually, within three months after the end of its fiscal year, have an audit performed covering its financial transactions for such fiscal year according to the specifications of the Auditor of Public Accounts and file with the Auditor of Public Accounts a copy of the report, unless exempted in accordance with subsection B. The Auditor of Public Accounts shall receive such reports and keep the same as public records for a period of ten years from their receipt.

B. No audit, however, shall be required for any fiscal year during which such entity's financial transactions did not exceed the sum of $5,000.

As used in this section, "financial transactions" shall not include financial transactions involving notes, bonds or other evidences of indebtedness of such entity the proceeds of which are held or advanced by a corporate trustee or other financial institution and not received or disbursed directly by such entity.

In the event an audit is not required, the entity shall file a statement under oath certifying that the transactions did not exceed such sum and, as to all transactions involving notes, bonds or other evidences of indebtedness which are exempted, the statement shall be accompanied by an affidavit from the trustee or financial institution certifying that it has performed the duties required under the agreement governing such transactions. Notwithstanding the foregoing, the Auditor of Public Accounts may require an audit if he deems it to be necessary to determine the propriety of the entity's financial transactions.

In the case of a water and sewer authority required by a governing body to have an audit conducted as specified in § 15.2-5145, the authority shall file the certified audit with the Auditor of Public Accounts.

At the time the report required by this section is filed with the Auditor of Public Accounts every such authority, commission, district or other political subdivision, except those exempted from the audit report requirement, shall publish, in a newspaper of general circulation in the county, city or town wherein the authority, commission, district or other political subdivision is located, a summary statement reflecting the financial condition of the authority, commission, district or other political subdivision, which shall include a reference to where the detailed statement may be found.

Any provision of law, general or special, which by its terms requires an audit that is not required by this section shall be repealed to the extent of any conflict.

(Code 1950, § 2-135.1; 1956, c. 298; 1958, c. 534; 1966, c. 677, § 2.1-164; 1978, c. 617; 1981, c. 547; 1982, c. 631; 2001, c. 844.)

§ 15.2-953. Donations to charitable institutions and associations, volunteer and nonprofit organizations, chambers of commerce, etc.

A. Any locality may make appropriations of public funds, of personal property or of any real estate and donations to the Virginia Indigent Health Care Trust Fund and to any charitable institution or association, located within their respective limits or outside their limits if such institution or association provides services to residents of the locality; however, such institution or association shall not be controlled in whole or in part by any church or sectarian society. The words "sectarian society" shall not be construed to mean a nondenominational Young Men's Christian Association, a nondenominational Young Women's Christian Association, Habitat for Humanity, or the Salvation Army. Nothing in this section shall be construed to prohibit any county or city from making contracts with any sectarian institution for the care of indigent, sick or injured persons.

B. Any locality may make gifts and donations of property, real or personal, or money, to (i) any charitable institution or nonprofit or other organization, providing housing for persons 60 years of age or older, or operating a hospital or nursing home; (ii) any association or other organization furnishing voluntary fire-fighting services; (iii) any nonprofit lifesaving crew or lifesaving organization, or rescue squad, within or outside the boundaries of the locality; (iv) nonprofit recreational associations or organizations; (v) any nonprofit organization providing recreational or daycare services to persons 65 years of age or older; or (vi) any nonprofit association or organization furnishing services to beautify and maintain communities and/or to prevent neighborhood deterioration. Gifts or donations of property, real or personal, or money by any locality to any nonprofit association, recreational association, or organization described in provision (iv), (v), or (vi) may be made provided the nonprofit association, recreational association, or organization is not controlled in whole or in part by any church or sectarian society. Donations of property or money to any such charitable, nonprofit or other hospital or nursing home, institution or organization or nonprofit recreational associations or organizations may be made for construction purposes, for operating expenses, or both.

A locality may make like gifts and donations to chambers of commerce which are nonprofit and nonsectarian.

A locality may make like gifts, donations and appropriations of money to industrial development authorities for the purposes of promoting economic development.

A locality may make like gifts and donations to any and all public and private nonprofit organizations and agencies engaged in commemorating historical events.

A locality may make like gifts and donations to any nonprofit organization that is exempt from taxation under § 501(c)(3) of the Internal Revenue Code that is engaged in providing energy efficiency services or promoting energy efficiency within or without the boundaries of the locality.

A locality may make like gifts and donations to nonprofit foundations established to support the locality's public parks, libraries, and law enforcement. For the purposes of this paragraph, "donations" to any such foundation shall include the lawful provision of in-kind resources.

A locality may make monetary gifts, donations and appropriations of money to a state college or university which provides services to such locality's residents.

Public library materials that are discarded from their collections may be given to nonprofit organizations that support library functions, including, but not limited to, friends of the library, library advisory boards, library foundations, library trusts and library boards of trustees.

C. Any locality may make gifts and donations of personal property and may deliver such gifts and donations to another governmental entity in or outside of the Commonwealth within the United States.

D. Any locality may by ordinance provide for payment to any volunteer rescue squad that meets the required minimum standards for such volunteer rescue squads set forth in the ordinance, a sum for each rescue call the volunteer rescue squad makes for an automobile accident in which a person has been injured on any of the highways or streets in the locality. In addition, unless otherwise prohibited by law, any locality may make appropriations of money to volunteer fire companies or rescue squads in an amount sufficient to enroll any qualified member of such volunteer fire company or rescue squad in any program available within the locality intended to defray out-of-pocket expenses for emergency ambulance transportation.

E. For the purposes of this section, "donations" shall include the lawful provision of in-kind resources for any event sponsored by the donee.

Nothing in this section shall be construed to obligate any locality to appropriate funds to any entity. Such charitable contribution shall be voluntary.

Resources

The American Library Association (www.ala.org) and its official publication, *American Libraries*

The Virginia Library Association (www.vla.org)

United for Libraries: The Association of Library Trustees, Advocates, Friends and Foundations, a division of the American Library Association (www.ala.org)

The Library of Virginia (www.lva.virginia.gov)

The *Code of Virginia*

Virginia Public Library Statistics

Professional publications related to libraries, such as *Library Journal*

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