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CHAPTER TEN

Who Runs the Library?

[**Disclaimer:** *The information in this handbook is not legal advice. We recommend that you consult an attorney if you have any questions about how the laws apply to your library.*]

The mission of most public libraries is to support the educational, recreational, and informational needs of the community. Everyone is welcome at the library, from the preschooler checking out their first book to the hobbyist looking for a favorite magazine to the middle-aged breadwinner continuing their education by taking a class over the Internet.

Providing a large number of services to meet the needs of a diverse population requires a large supporting cast including trustees, the library director and staff, and sometimes representatives of the municipal government. When all members of the team know their respective responsibilities and carry out their particular tasks, the library can run like a well-oiled machine. When one of the players attempts to take on the job of another, friction may cause a breakdown.

For **governing** boards, the board sets policy. The director operates the library with the assistance of staff and answers directly to the board. For **advisory** boards, the board may recommend or develop policy to be adopted by the municipality. The director operates the library and reports to the town manager or select board. *Some advisory boards may not perform all the roles described in this chapter.*

Sometimes the line between policy and operation is very thin and the differences are subtle. Basically, the board of trustees and the library director work as a team, just as the director must construct a team with staff. In order to work successfully, it must be a process of two-way communication, consultation, and trust building.

Board Roles and Responsibilities

Let's elaborate on the respective roles and responsibilities of trustees and director with several examples. Especially in large libraries, some

of the tasks or decisions that are identified as the director's will likely be delegated to managerial or supervisory library staff.

Roles

Typical roles or "jobs" of board members may be Board President or Chair; Vice-President or Vice-Chair; Treasurer, and Secretary. These roles, along with the library director, also comprise the Executive Committee.

Board Presidents chair meetings; sign off on major financial documents along with the Treasurer; generally, serve on committees of the board; work with the library director to create an agenda for meetings; and advocate and fundraise on behalf of the library. For more information, visit *BoardSource* at <https://boardsource.org/resources/board-chair-role/>.

Vice-Presidents may also be the President-Elect and be expected to assume the leadership of the board when the President's term expires. The Vice-President also assumes responsibilities of the President in the event of the President's absence.

The Treasurer works with the library director to report out to the board on library finances and ensure that any major financial actions, such as receiving a grant or filing the board's IRS Form 990, are reported to the board and recorded in the minutes.

The Secretary records meeting minutes and compiles them with meeting agendas and other relevant documentation for annual reviews or audits.

Trustee Responsibilities

Community Involvement

If the trustees and the library director are to fulfill their responsibilities, both must be active in the community. Both must know the community to develop those policies and practices that bring the best possible library services to their community.

The board membership is likely to represent a variety of community connections. These connections can provide avenues to knowing and understanding the community and to advocacy for the library.

Trustees have a responsibility to stay informed—to regularly attend board meetings and to read and understand information presented to them about the library and its operation. They also have a responsibility to actively listen to community residents. It is equally important that they advocate for the library with community residents and with local, state, and federal governmental representatives. In order to do this, trustees will need to answer questions and to explain library policies and practices. They need to work as a team with the library director, because some questions, especially about library practice, are best directed to the library director. The director and staff must also be prepared to explain library policies and actively advocate for the library.

Developing Policies

There are several levels of decision-making involved in policy making. There are many times when the board will ask the library director to analyze impacts before it establishes a policy, and there will be times when the director will consult the board before proceeding with a specific course of action.

Often the director will call the board's attention to a need for policy in a specific area and may draft language for the board to consider. In other instances, the board may identify a need for a policy and will either ask the director to draft language for board discussion and action or they may jointly develop specific language.

Sometimes the director will make decisions related to library operations and will simply inform the board of their actions, or perhaps ask for its consent for a proposed course of action. This latter course of action is probably wise in situations where it is not initially clear whether additional policy decisions will need to be made or where the distinction between practice and policy is not entirely clear. Discussion can usually clarify the issues and decisions can be made, often by consensus. Certain kinds of decisions may be delegated to the director.

Mission/Roles of the Library in the Community

It is the governing board's responsibility to determine the mission and roles of the library after a planning process that includes a great deal of input from residents of the community, and in coordination with the library director. These fundamental decisions need to be articulated in a mission statement and supported by policy and planning.

Once those fundamental decisions are made, it is the governing board's responsibility to hire a director who agrees with and supports the chosen roles. A more specific example of how this works: Board policy or the library mission states that the library is to be user friendly and a place where people feel welcome. It is the library director's responsibility to make it happen. It will involve setting expectations regarding attitudes of staff toward the library users, training for staff, and establishing library practices and procedures that make users feel welcome and satisfied with their library experience. These are all responsibilities of the director.

Budget, Contracts, and Grants

The board approves the library budget, as drawn up and recommended by the director, but it is based on goals set by the board. The budget corresponds to the annual work plan for the director and staff. The board may suggest general policy directions for the budget, but the director in consultation with staff decides what is possible within budget constraints, and how best to meet the full range of needs. The director expends money within approved budget parameters and keeps the board informed. While trustees might review and approve bills/invoices each month, they should not approve individual expenditures. The board should be informed by the director of any major changes needed in the budget and the proposed changes must have board consensus. Trustees should not be involved in adjustments made to budgets as long as those adjustments are within general budget parameters as approved by the board.

Contracts and/or grants should support the library's strategic plan. The governing board must approve all

contracts, but the contract or grant specifics will be drawn up and recommended by the director. Trustees must be kept informed of potential contracts or grants and should provide input regarding the content or parameters of impending contracts or grant documents. Whether to apply for a particular grant or enter into a contract might be a policy matter, and thus the board will make the final decision. There might be instances where the board determines that it is appropriate to delegate to the director the responsibility for signing agreements on behalf of the library.

Personnel - Library Director

The board establishes overall personnel policies such as guidelines for salary and benefits, hiring practices, and other personnel actions unless the library is part of a town/city and must follow municipal policy. The director implements personnel policies. Trustees should not become involved unless personnel policy changes are called for.

Unless the library is part of a municipal system that maintains authority to hire the director, the board hires the library director and sets salary and benefits. In this process, the board may seek input from library staff and/or community residents, but the ultimate decision rests with the board. In turn, the director hires library staff and the board are not involved in interviewing or selection.

Unless the salary schedule is established by the town/city, the board approves the salary schedule as drawn up and recommended by the director. It is the director's responsibility to decide where a job classification will be placed on that salary schedule. The board should do an annual performance review of the library director. As a result of the review, the board and director should jointly set goals and expectations for the coming year. The annual performance review of the director will be based on how well those goals and expectations have been achieved. The director should carry out annual performance reviews of library staff, set goals for staff performance, and determine staff

training needs. The board approves policies for staff training, attendance at conferences, workshops or classes, travel reimbursement and the like, but it is not involved in staff review.

Disciplinary actions related to library staff are a responsibility of the library director. Although the board sets disciplinary policy as part of overall personnel policy, board members should not become involved in specific disciplinary actions. Complaints made directly to board members must be referred back to the director for action. The director should always consult the library attorney on any disciplinary actions that might reach the point of hearings before a human rights commission or a lawsuit. Trustees must certainly be kept informed and will probably need to approve expenditures for attorney fees.

Disciplinary action or firing of a library director is, of course, a governing board responsibility. Remember: These discussions must be carried out in Executive Session pursuant to **1 MRSA §405(6)(A)**.

Personnel – Library Staff

It is the library director who hires and supervises all other library staff, but the library board has the legal responsibility for establishing the duties and compensation, as well as the personnel policies, for all library staff. If the library is a municipal library with an advisory board, the legal responsibilities for establishing the duties and responsibilities fall to the city/town government unless otherwise delegated to an advisory board under a Memorandum of Agreement.

While both the library board and the library director have significant personnel responsibilities, the library will operate most effectively if the two parties cooperate and communicate on important personnel matters, while avoiding intrusion into each other's area of responsibility. Keep in mind that:

- The library director can and should recommend personnel policy changes but can implement only policies officially approved by the board.

- The library director has the authority to hire staff to fill positions authorized by the library board and to supervise those staff but should keep the library board informed of important personnel issues and consult with the board, if possible, before making significant personnel decisions.
- The library board's unsolicited intrusion into the director's responsibility to select and supervise staff can undermine the authority of the director and create discord and disorganization in library operations.

Staff duties and compensation are another area where cooperation is essential. The library's governing board has the legal responsibility for establishing staff duties and compensation, but the director has the responsibility for the day-to-day assignment of staff duties. The library director brings recommendations for changes in staff compensation to the board.

Lines of Communication

While trustees will want to know who the staff are and what they think about the library and its policies, services and collections, trustees must be very careful to avoid undermining the authority of the director if they are going to be able to manage effectively. Trustees should direct staff who have complaints about the director, policies, or materials to discuss the situation with their supervisor or the director. If that does not resolve the issue, the staff should be encouraged to follow the library's grievance or complaint procedure provided in the library's personnel policy. Only in extreme situations should staff complaints go directly to the board.

Since the library board might want input from the staff on certain issues, the board should solicit such input through the director. In addition, the library board may decide to obtain library staff input on the director's performance as part of a formal evaluation process.

Except in unusual circumstances, communication between the library board and library staff about library business should be carried on through the library

director. Going behind the director's back undermines the trust necessary for effective and orderly operation of the library.

Staff Compensation Levels

The ability to attract and retain high-quality staff depends partially on competitive and fair wages and benefits for library staff. Compensation for library staff should be competitive with compensation provided by similar-sized libraries in Maine and nationwide, and it should be in line with other community positions that require similar training and responsibilities. Contact your regional liaison for additional information.

The library board should also approve a salary schedule that covers all staff positions and written job descriptions that list the essential job duties of each staff position, any educational and experience requirements, the physical and mental requirements of the job, and the salary range. Carefully prepared job descriptions will help the library comply with Title I of the Americans with Disabilities Act (ADA), which deals with employment issues.

Personnel Policy

It is the responsibility of the library board to approve a personnel policy for library staff that formally establishes compensation and benefit policies, rules and conditions of employment for library staff, etc. It is important for these policies to be gathered into a written personnel handbook available to all library staff. These written policies ensure that all staff are treated according to the same rules.

Many state and federal laws govern the relationship between employer and employee, and it is essential that the library's personnel policy comply with these laws. Your municipality might have personnel department staff who keep up to date on these laws. Knowledgeable individuals should review all proposed changes in the personnel policy. To simplify maintenance of their personnel policies, many library boards adopt the personnel policy of their municipality as the library personnel policy, subject to those changes

approved by the library board. The Maine Association of Nonprofits, a membership driven organization, often is a great source of information in these matters. Municipal libraries in towns without a legal firm under contract who are members of the Maine Municipal Association can turn to their legal department for assistance.

Nonprofit governing boards should also consider purchasing Employment Practices Liability Insurance (EPLI) which covers the organization against claims by workers that their legal rights as employees of the library have been violated.

Continuing Education for Library Staff

To meet the everchanging needs of communities, library staff must stay aware of emerging societal and technology trends as well as new approaches in the delivery of library services. To this end, it is recommended that the library adequately budget for staff continuing education such as workshops, webinars, conferences and other professional activities, including paid work time for attendance, registration fees, and travel costs.

Collections, Hours, and Services

These are operational procedures that are the responsibility of the library director. The board of trustees sets the goals in its adopted plan and defines strategies for collections, access and services, but it is up to the library director and staff to implement the actions that meet these goals. Board members should never make operational suggestions to the library staff. Additions or changes to collections or services should be discussed with input from the library director at a regular board meeting.

Community Relations and Publicity

The library should have a public relations and marketing plan that encourages partnerships and cooperative ventures with community organizations. Public relations is a shared responsibility between the board and the staff; however, the message must be consistent.

Conclusion

The library board approves the director's recommendations for services. However, it is up to the director, as the hired professional, to create the procedures needed to carry out the policies of the board and ensure that services are provided effectively and efficiently. While the board alone can decide how many employees the library should have, it is the director who hires and supervises other staff. Except in extreme situations, library trustees should not be discussing library business with employees other than the director. The library board may solicit library staff input on the director's performance as part of a formal evaluation process.

Administration of the budget and expenditure of funds is a frequent source of misunderstanding regarding the division of labor between boards and directors. The library's governing board audits and approves all bills/invoices for the expenditures of the public library, but this shouldn't be interpreted by individual board members to mean they must negotiate the necessity of every purchase with the library director, whether the purchase is an expensive computer system or a two-dollar box of pencils. Fortunately, in most libraries, the director is given reasonable latitude to administer the budget and expend funds according to board guidelines. The library board must review expenditures and keep an eye on the flow of funds, but it should trust the judgment of the director when it comes to which materials to purchase or which is the most economical office supply vendor.

Duties and Responsibilities:

Library Board

Employ a competent and qualified library director

Determine and adopt written policies to govern the operation and program of the library

Determine the purpose of the library and secure adequate funds to carry on the library's program

Know the program and needs of the library in relation to the community; keep abreast of standards and library trends; cooperate with the library director in planning the library program, and support the library director and staff in carrying it out

Establish, support, and participate in a planned public relations program

Assist in the preparation of the annual budget

Know local and state laws; actively support library legislation in the state and nation

Establish all library policies particularly those dealing with books and material selections, Internet Use Policy, ADA, etc.

Attend all board meetings and see that accurate records are kept on file at the library

Attend regional, state and national trustee meetings and workshops, and affiliate with the appropriate professional organizations.

Be aware of the services of the state library

Report regularly to the general public or if advisory board, to municipal governing board

Library Director

Act as the technical advisor to the board; recommend needed policies for board action; recommend employment for all personnel and supervise their work

Carry out the policies of the library as adopted by the board

Suggest and carry out plans for extending library services

Prepare regular reports embodying the library's current progress and future needs; cooperate with the board to plan and carry out the library program.

Maintain an active program of public relations

Prepare an annual budget for the library in consultation with the board and give a current report of expenditures against the budget at each meeting

Know local and state laws; actively support library legislation in the state and nation

Select and order all books and other library materials

Attend all board meetings other than those in which the library director's salary or tenure are under discussion; may serve as secretary to the board

Affiliate with the state and national professional organizations and attend professional meetings and workshops

Make use of the services and consultants of the state library

Report regularly to the library board, to the officials of the local government, and to the general public

Source: Virginia G. Young, *The Library Trustee: A Practical Guide*, 5th ed. American Library Association, 1995

Library Friends Groups

Friends Organizations

Friends of the Library organizations exist in many Maine communities. Friends organizations are groups of citizens who join together to support, improve, and promote the library. Some are formally incorporated, not-for-profit bodies; some are informal groups of library supporters. (Information about establishing a Friends organization and ideas for Friends activities and projects is available from the Association of Library Trustees, Advocates, Friends and Foundations (United for Libraries) at www.ala.org/united/friends .)

As volunteers who actively support the library, Friends can be extremely helpful to the library in a number of ways. Friends often offer financial support for a special library program or service, advocate for the library budget or library capital project, and volunteer assistance with children’s summer reading programs and other services.

While the library board and the Friends share a common vision, they are separate, autonomous bodies—each with a distinct role. The two groups work together most effectively if they respect the distinct role of each organization. Below are a few suggestions that may help create an effective working relationship:

- Friends recognize that they do not perform a decision-making role for the library.
- The library board values and encourages input and opinions from the Friends.
- The library board appoints a liaison to the Friends (often the library director or other library staff member).
- Friends decide how to spend their funds only after conferring with the library director and library board or according to an established Memorandum of Agreement (MOA) with the library board.
- The library board provides the Friends with a “wish list” of items not

- included in the budget in order to aid the Friends in their fund-raising efforts.
- The Friends' activities support library board long-range plans and policies.
- The library board expresses appreciation to the Friends for their support and service.
- The library board invites and welcomes Friends to library board meetings, especially when discussing issues that might be of interest to the Friends.

Financial Support from Friends

It is important that library donations, including financial and material support from the Friends, be used to enhance or enrich library services. The availability of Friends' support should never be the occasion for reducing or replacing the community's commitment to public funding. Donors will stop donating and volunteers will stop working if they see that their efforts are resulting in reduced public funding for the library instead of improved service.

Often, Friends groups will underwrite a pilot project for a year or two until the value of the new service is proven in the community. They might provide assistance in the furnishing and/or decorating of the library building beyond bare necessities. They might make special collection enrichment gifts to help the library keep pace with an unanticipated increase in the need for special materials (to better serve Spanish-language residents or day-care centers, for example). In addition, Friends groups often provide financial support for special programming.

In many communities, the library donates withdrawn books to the local Friends organization for sale to the public. This practice probably falls within the authority of the library board; however, because public property is involved, special care should be taken. We recommend that the library board enter into a written Memorandum of Agreement (MOA) with the Friends that makes clear that all proceeds from sale of the books (and any other materials) be used to support the programs and services of the library.

THE ROLE OF THE FRIENDS BOARD

It is not uncommon for the role of the Friends and the role of the public library Trustees to become confused. What authority and responsibilities do the Friends have? What is the role of the Trustees? Should an individual serve on both boards? If either of these groups is unsure of the limits of their respective authorities, conflicts can, and often do, arise. Tip Sheets #1 and #2 outline the roles of the Friends board and the role of the Trustees, specifically indicating where their work and communication should overlap or complement each other.

Friends are citizens who value the service of libraries and volunteer to help them. Friends usually operate with a self-elected board of directors representing the community.

1. Friends may be future Trustees, and Trustees future Friends; however, there should be no overlapping boards (see below).
2. Friends are kept informed of the library's plans, progress, and challenges by the library director.
3. A Friends board member should be appointed as a liaison to the library's board of Trustees. This liaison should attend all Trustee meetings, be prepared to report Friends issues and activities to the Trustees, and report back to the Friends.
4. Friends recognize that they do not perform a policy-making role for the library but should feel that their opinions are valued by the Trustees.
5. Friends support policies set by the library Board of Trustees.
6. Friends serve as "connecting links" between the library and community, interpreting one to the other.
7. Friends funds supplement the library's operating budget to provide materials and programs that enhance the library's service. Friends funds should not replace money that is normally provided by the city or institution for library operations. Friends decide how to spend their money after conferring with the library director and library Board.
8. Fundraising by the Friends is done with the knowledge of the Trustees and in coordination with the library director.
9. Individually and collectively, Friends use their influence to assist the library in obtaining desired financial support from the community or institution by representing the library point of view to local government, academic leadership, legislators and the media.

Should a member of the library board also serve as a member of the Friends of the Library board? The generally accepted wisdom is “no.” There are a number of reasons for this:

1. It can imbue a single member with more power and authority than his or her peers on each of the boards.
2. There can be a perceived conflict if a member of the policy making Board is also in a decision-making role on the Friends Board that helps fund the library’s services.
3. There can be a potential conflict of interest when a policy the library Board is proposing might be considered not in the best interest of the Friends. For example, deciding to give discarded library materials to an outsourced agency, or proposing the establishment of a foundation for fundraising.

Even if your Trustee Board and Friends Board are working in perfect harmony right now, no precedent should be set that will allow possible conflicts in the future. Though it is the case that a Trustee Board member may take a leadership role in creating a new Friends group and therefore have a decision-making role in both for a while, this should be considered a temporary necessity, and the new Friends should elect officers (other than library Trustees) as soon as possible.

For more information, see United for Libraries’ Toolkit #3, “Friends and Libraries: Working Effectively Together” in the Trustee Zone at www.ala.org/united. In addition, see the chapter on “Organizational Effectiveness” in *101+ Great Ideas for Libraries and Friends*, available in the Friends & Foundation Zone and the Trustee Zone.

(Source: tip sheet #2, Tools for Trustees, United for Libraries Association of Library Trustees, Advocates, Friends and Foundations A division of the American Library Association, 2015)

Working Together: Nonprofit Library Roles and Responsibilities

Responsibilities of:	Library Director	Library Board	Friends
General Administrative	Administer daily operation of the library including personnel, collection development, fiscal, physical plant and programmatic functions. Act as advisor to the board and provide support to the Friends and community groups.	Recruit and employ a qualified library director; maintain an ongoing performance appraisal process for the director.	Support quality library service in the community through fund raising, volunteerism and serving as advocates for the library.
Policy	Apprise library board of need for new policies, as well as policy revisions. Implement the policies of the library as adopted by the library board.	Identify and adopt written policies to govern the operation and program of the library.	Support the policies of the library as adopted by the library board.
Planning	Coordinate and implement a strategic plan with library board, Friends, staff and community.	Ensure that the library has a strategic plan with implementation and evaluation components.	Provide input into the library's strategic plan and support its implementation.
Fiscal	Prepare an annual budget for the library and present to the Board or Municipality for approval.	Seek adequate funds to carry out library operations. Assist in the preparation and presentation of the annual budget.	Conduct fund raising to support the library's mission and plans.
Advocacy	Promote the mission of the library within the community. Educate the library board, Friends and community regarding local, state and federal issues that impact the library.	Promote the mission of the library within the community. Advocate for the library to legislators and community members.	Promote the mission of the library within the community. Advocate for the library to legislators and community members.
Meetings	Participate in library board and Friends meetings. Ensure that there is a liaison from the board to the Friends and vice versa.	Participate in all board meetings. Appoint a liaison to the Friends Board and become a member of the Friends.	Maintain a liaison to the library board.
Networking	Join state and national professional organizations and participate regularly in professional development activities.	Join the Maine Library Trustees electronic discussion list: Melib-Trustee@lists.maine.edu	Join ALA's United for Libraries to keep up on Friends and foundation activities http://www.ala.org/united/friends

Sources of Additional Information

- Your regional liaison
- Your municipal attorney and municipal human resources officer
- Sample personnel policies on the Maine Library Policy Resource page at www.maine.gov/msl/libs/admin/policies/
- Annual nationwide Public Library Data Service Statistical Report (PLDS) www.ala.org/pla/publications/plds
- Maine Public Library Statistics www.maine.gov/msl/libs/statistics/
- Maine Public Libraries Sample Job Descriptions www.maine.gov/msl/libs/admin/jobdesc.shtml
- Maine State employment laws www.maine.gov/labor/labor_laws/
- Federal Laws Prohibiting Job Discrimination: Questions and Answers at www.eeoc.gov/facts/qanda.html
- Sample Personnel Policies for Kentucky Public Libraries <http://kdla.ky.gov/librarians/librarypolicies/pages/personnelpolicies.aspx>
- Colorado Library Consortium's Small and Rural Public Library Policy Collection <https://www.clicweb.org/extras/innovations-initiatives/publiclibrarypolicycollection/>
- The Role of the Board Chair <https://boardsource.org/resources/board-chair-role/>
- Maine State Library webpage for Trustees and Friends www.maine.gov/msl/libs/admin/trustees.htm
- The Association of Library Trustees, Advocates, Friends and Foundations (ALTAFF) at www.ala.org/united/friends has information about establishing a Friends organization and ideas for Friends activities and projects. It also has information on establishing a library foundation.
- Moore, Mary Y. The Successful Library Trustee Handbook, 2nd ed. Chicago: American Library Association, 2010.
- Reed, Sally Gardner and Jillian Kalonick. The Complete Library Trustee Handbook. New York, Neal –Schuman Publishers, Inc. c2010.

