

LIBRARY BOARD EFFECTIVENESS
TRAINING

CALTAC BOARD DEVELOPMENT PROJECT

**CALIFORNIA ASSOCIATION OF LIBRARY
TRUSTEES AND
COMMISSIONERS (CALTAC)**

www.caltac.org
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CALTAC Board Development Project Library Board Effectiveness Workshop

Learning Objectives: By the end of this session participants will be able to:

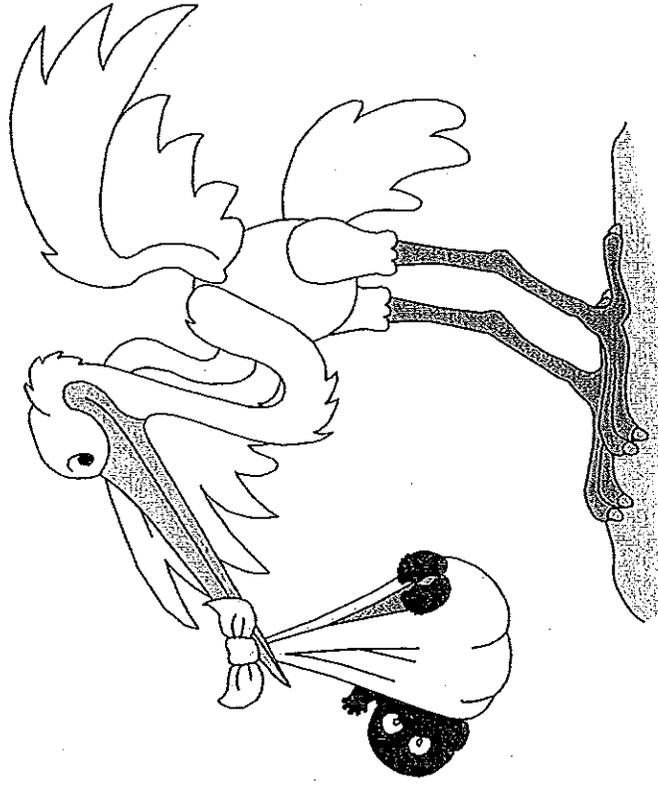
- Articulate the significant role and contribution of volunteer trustees to Library success, including CALTAC's role.
- Understand the various Library Board structures in California, and recognize the type on which they serve.
- Identify legal obligations of library board members, and know steps to take to reduce personal and Board liability.
- List the role and functions of a Library Board, and articulate some success strategies for accomplishing them.
- Develop and/or enhance a productive working relationship with their Library Director.
- Identify next steps for addressing their own current issues in this area.

AGENDA

- I. Introduction
- II. Why Do We Have Library Boards?
- III. Types of Library Boards in California
- IV. What Library Boards Do
- V. Legal Duties and Liabilities of Library Board Members
- VI. Success Strategies for Boards
- VII. Working Toward Good Board/Library Director Relations
- VIII. Next Steps -- What Can We Do To Help Our Board Be Effective?
- IX. Additional Resources Available to Help

STEWARDSHIP

- ◆ The act of managing another's property, finances or affairs to its best interest and by the rules under which it has been created.



Types of Library Boards in California

◆ Organizational

Types:

◆ City

◆ County

◆ City/County

◆ School District

◆ Special District/JPA

◆ Functional

Types:

◆ Advisory

◆ Administrative

Whether your Library Board is Advisory or Administrative, you will be asked to either advise on or make policy, review proposals and/or take action in 6 areas:

Planning
 Finance/Fundraising
 Organizational Operations
 Human Resources
 Community Relations
 Advocacy

What Is Policy?

Policies govern the direction and operation of the organization. They provide the framework for decision making. The central policy of an organization is the mission statement, which describes its purpose. It is the responsibility of the board to see that the mission is clearly defined and communicated to its constituencies.

Policy direction is further defined through statements of philosophy or values, as well as through goals and objectives developed by Board, Committees and staff, based on the mission.

What Are The Levels Of Policy and Who Is Involved at Each Level?

Governing Policy -- is the area in which the Board is most directly involved in formulation of policy as well as approval. Governing policies include Mission, Values, and Goals.

Administrative Policy -- is policy generally developed consistent with governing policy by staff (often with help from some Board members) and approved by the Board. Examples are Personnel and fiscal management policies.

Operating Policy -- describes procedures and practices in the work environment (often called "office procedures") and is generally developed by staff.

What Responsibilities Does The Board Have In Each of the Policy-Making Areas?

NOTE: *While an Advisory Board will be asked to advise governing bodies and staff in these areas and occasionally take or support action, an Administrative Board actually carries responsibility for them.*

Planning

- 1) Periodically reviewing the organization's mission, philosophy, and goals;
- 2) Planning for the organization's future, on a long- and short-range basis;
- 3) Determining which services/programs the organization will provide; and,
- 4) Evaluating the organization's programs and operations on a regular basis.

Finance

- 1) Ensuring financial accountability of the organization
- 2) Overseeing an ongoing process of budget development, approval, and review.
- 3) Fundraising to ensure that adequate funds are available to support the policies and programs; and,
- 4) Managing and maintaining the organization's properties or investments.

Organizational Operations

- 1) Ensures that the organization and its board members meet all legal requirements;
- 2) Ensures that the Board's operations are adequate and appropriate
- 3) Ensures that the organization has a functional and legal organizational structure; and,
- 4) Ensures that administrative systems are adequate and appropriate.

Human Resources

- 1) *Board Membership* -- assisting with recruitment or identification of potential new board members, providing existing board members with opportunities to grow and develop as leaders, and recognizing their accomplishments.
- 2) *Volunteer Involvement* -- defining appropriate ways for volunteers to be utilized, and setting policy on how the library should treat and recognize volunteers.
- 3) **Executive Director Accountability* -- including hiring, firing and ongoing evaluation of the Executive Director.
- 4) **Personnel Policies* -- providing policy guidance on salaries, benefits and grievance procedures.

* *Administrative Boards Only*

Community Relations

- 1) Ensuring that programs appropriately serve the membership and the community;
- 2) Ongoing public relations, including an awareness that board members are always emissaries of the library; and,
- 3) Cooperative Action, including participation in appropriate coalitions and joint projects which are consistent with its Mission and Goals.

Advocacy

- 1) Keeping well informed about public policy and other issues which affect the library, and speaking out on behalf of the library to policy-makers and other community leaders and constituents. No one is in a better position to play this role than the Library Board member because you represent the community! Despite extensive staff knowledge and commitment to the library, as library employees, they may be seen as having a vested interest when speaking out on behalf of the library.

Legal Duties and Liabilities of Library Board Members

Legal Duties

Just by the act of accepting a position on the board, you automatically assume legal duties and responsibilities. Duties common to public office holders include:

- Accepting Powers And Obligations Of The Office
- Obeying Local, State And Federal Laws
- Good Faith To Constituency
- Diligence
- Managing property of the constituency

Areas of Potential Legal Liability

- Errors or Mistakes in Exercise of Authority
- Acts in Excess of Authority (*i.e., Censorship*)
- Malfeasance (*fiscal misappropriation; accepting a bribe*)
- Nonfeasance (*failing to act when you should have*)
- Negligence (*i.e., unsafe buildings/grounds which results in injury*)
- Intentional Tort (*i.e., saying something in anger which can be construed as slander*)
- Unintentional Tort (*i.e., makes a mistake in good faith, i.e., accusing someone of a crime*)
- Conflict of Interest (*participating in any decision which affects your personal finances*)
- Acts in Contravention of Statutory Direction (*failing to follow laws, rules or by-laws*)

Ways to Decrease Your Liability

For you as an Individual

- Consider indemnity insurance designed for public officials.
- Be informed and active -- attend, study, ask, vote, monitor actions -- stay on top of it!
- Read minutes, make corrections when needed, and be sure your vote is properly recorded.
- Vote "No" if you feel strongly about this being the wrong thing to do. (NOTE: Abstaining or being absent is not sufficient to protect you from liability)
- Be very careful about conflicts of interest -- yours and others
- Understand and Follow the Brown Act
- Seek legal counsel for clarification

For the Total Board

- Liability Insurance For The Board
- Take action using parliamentary procedure -- ensure that all actions are recorded and available to the public.
- Follow by-laws and policies, and ensure that they are reviewed and updated periodically.
- Follow the Brown Act.
- Avoid any Board conflicts of interest.
- Urge attendance by all members, and enforce any provisions regarding forfeiture of position for a stated number of unexcused absences.
- Encourage all members to be active -- monitor committee progress and reports.
- Keep the governing board of your jurisdiction fully informed of your actions.
- Seek clarification from the jurisdiction legal counsel when needed.

Have the Right Board to Achieve Good Stewardship

◆ Diverse Mix of:

- ◆ Skills
- ◆ Expertise
- ◆ Contacts
- ◆ Geography
- ◆ Ethnicity
- ◆ Age/Sex
- ◆ Working/Retired



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Californians Include

- ◆ People with Disabilities
- ◆ Non-English Speakers
- ◆ Functionally Illiterate
- ◆ School Drop-Outs
- ◆ Senior Citizens
- ◆ Homebound
- ◆ Kids who think the Internet IS the Library



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Eliminate Barriers

- ◆ Physical
- ◆ Language
- ◆ Cultural
- ◆ Geographic
- ◆ Hours of Operation



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Board Development

- ◆ Job Descriptions
- ◆ Board Orientation
- ◆ Board Manual
- ◆ Policy Manual
- ◆ Ongoing Training Opportunities
- ◆ Leadership Opportunities



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SAMPLE CITY LIBRARY COMMISSIONER JOB DESCRIPTION

Importance of Position: Provides stewardship for the City's public library assets and services on behalf of all residents, ensuring adaptability to a diverse population and changing environment. On behalf of the citizens, advises the City Council on matters pertaining to the library, and advocates on the Library's behalf. Ensures an ongoing flow of information between the Library, the Community and the City Council.

Qualifications:

- Knowledge of the library's importance and its role in the community
- Willingness to invest time and effort in their duties
- Ability to listen and work well with others
- Tested leadership skills in business, education or community
- Enthusiasm, intellectual curiosity, good judgement and creativity
- Understanding of, and commitment to, the stewardship role of the Commission
- Demonstrated support for freedom of access, both physical and intellectual

Appointment: Appointed by, and reports to, the City Council for a term of Three Years. May be re-appointed for one additional consecutive term.

Responsibilities:

1. Attend regular board meetings, trainings and retreats, in an effort to understand the functions of librarianship (public services, technical services, administrative services, and technology) as well as issues and challenges facing libraries in general, and the Sample City Library in particular. Read materials in advance, ask questions, and make informed recommendations.
2. Become familiar with the legal and regulatory environment which governs library and library commission operations, including, but not limited to, the Library Commission's By-Laws, the Brown Act, the Americans with Disabilities Act, and Confidentiality requirements.
3. Gain familiarity with the budgeting process. Review monthly and annual financial statements. Become familiar with physical plant needs and resources, and ensure that plans for plant maintenance and capital improvement are in place.
4. Ensure and participate in long range planning for the Library, and that needs of all segments of our community are assessed and considered. Ensure that all policies developed and recommended by the Commission are consistent with the approved plan.
5. Serve as an active member of a working committee of the Commission.
6. Act as an advocate for legislation and funding that will help to meet the identified needs of the community and the library.

Training Provided: Orientation to the Library and Library Commission structure at beginning of service term will address responsibilities delineated above. Ongoing training updates will be provided as needed, but not less than annually.

Time Commitment: Monthly Commission and committee meetings, training and/or planning events, and reading/preparation time estimated at 8 hours per month.

Board Member Rights and Responsibilities

- ◆ Responsibilities
 - ◆ Attend Regularly
 - ◆ Be Informed
 - ◆ Come Prepared
 - ◆ Ask Questions
 - ◆ Seek Clarification
 - ◆ Disclose potential conflicts of interest
- ◆ Rights
 - ◆ To Be Fully Informed in Advance
 - ◆ Training/Orientation
 - ◆ To Ask Questions
 - ◆ No Wasted Time
 - ◆ Opportunities for Personal Growth

Who is Responsible -- The Board or the Library Director?

Task	What the Director Does	What the Board Does
Long Term Goals (more than one year)	Recommends/Provides Input	Provides Input/Approves*
Short Term Goals	Establishes and Carries Out	Monitors
Day-to-Day Operations	Makes all management decisions	No Role
Hiring of Staff	Approves all hiring	No Role
Staff Deployment	Establishes Assignments	No Role
Staff Evaluations	Evaluates all staff	Evaluates Director, if appropriate
Fees/Collections	Recommends Policy Implements Approved Policy	Adopts policy
Community Relations	Recommends appropriate activities Attends appropriate meetings	Serve as emissary for the Library in the community
Advocacy	Keeps Board informed -- attends meetings as a resource	Speaks out on library issues with policy makers and community leaders
Board Development	Prepares materials and makes presentation as requested	Designs and schedules orientation and training
Ensure adherence to laws, rules & regulations	Be informed, raise questions, seek legal consultation as needed	Be informed, raise questions, seek legal consultation as needed

* "Approve" for Advisory Boards means approve and forward for the Jurisdiction's final approval.

SUREFIRE WAYS . . .

FOR STAFF TO EFFECTIVELY TURN OFF BOARD MEMBERS

- Don't ask board volunteers' advice or involve them in the decision-making process.
- Fail to stick to time schedules.
- Don't provide follow-up or progress updates.
- Don't respond promptly to phone calls.
- Force a board volunteer to make repeated requests for data.
- Embarrass a board volunteer through inaccurate or insufficient data.
- Forget to say "Thank you."

FOR BOARD MEMBERS TO EFFECTIVELY "TURN OFF" STAFF

- Don't return phone calls.
- Agree to complete a task that you know you don't have time or are not motivated to do.
- Fail to achieve a task within the agreed-upon time frame.
- Once a deadline has passed, force staff to inquire repeatedly about progress.
- Agree to a course of action privately, then change directions publicly without notifying staff of the reasons.
- Put a staff person in a position of having to render an opinion about his colleagues or organization.
- Forget to say "Thank you."

Print Bibliography for Library Board Effectiveness

- California Association of Library Trustees and Commissioners, and the California State Library. Trustee Tool Kit for Library Leadership (1998 Edition).
- Ellis, Susan, The Board's Role in Maximizing Volunteer Resources (Washington DC: National Center for Nonprofit Boards, 1999).
- Himmel, Ethel, and W.J. Wilson, Planning for Results: A Public Library Transformation Process (ALA, 1998).
- Lehn, Carla C., Volunteer Involvement in California Libraries: "Best Practices" (Sacramento: California State Library, 1999).
- Rubin, Renee. Avoiding Liability Risk: An Attorney's Advice to Library Trustees and Others (ALA, 1994).
- Short, Jack. Library Trustees Guidelines (Avon CT: Consultant Publications, 1994).
- Swan, James. Working Together: A How-To-Do It Manual for Librarians and Trustees (NY: Neal-Schuman Publishers, 1992).
- Wade, Gordon S. Working with Library Boards: A How-To-Do It Manual for Librarians (NY: Neal-Schuman Publishers, 1991).
- Young, Virginia. The Library Trustee: A Practical Guidebook (ALA, 1995).
- Manley, Will and Richard Lee. For Library Directors Only/For Library Trustees Only (Jefferson, NC: McFarland and Company, 1993).

Electronic Bibliography for Library Board Effectiveness

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| American Library Association | www.ala.org |
| American Library Trustees Association | www.ala.org/alta |
| The Brown Act (State Attorney General's site) | caag.state.ca.us/piu/brown.htm |
| California Library Laws | www.library.ca.gov/laws |
| California State Library | www.library.ca.gov |
| Cupertino City Library Commission Handbook | www.cupertino.org/update/hall/commissions/library/CLC_Report-98.html |
| National Center for Nonprofit Boards | www.ncnb.org |
| New Hampshire Library Trustees Association | www.state.nh.us/nhlta |
| Nonprofit Risk Management Center | www.nonprofitrisk.org |