



BOARD POLICIES

BOYD COUNTY PUBLIC LIBRARY DISTRICT BOARD OF TRUSTEES

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POLICY STATEMENT

Policy Statement

Boyd County Public Library District ("The Library") has been entrusted by the people of Boyd County, KY with funds to provide the best services possible. These funds come primarily through taxes, fines, fees, grants, and gifts. It is the responsibility of the library, board of trustees, and director to ensure that those funds will be used in a responsible and prudent manner to meet The Library's mission.

The Library is tasked with providing services to the people of Boyd County. To that end, the Library has created the following statement of that mission:

to provide quality resources and access to information for all users

This is done by offering an up-to-date collection of materials in many different formats, delivering entertaining, enlightening, and educational programming for all ages, providing access to information and resources beyond the physical building, having a well trained and helpful staff, ensuring comfortable and welcoming facilities, and being accountable to the community, the county, and the state. It also entails planning for the future; be it changes in content delivery, keeping up with technology, maintaining facilities, or preparing for a new building. Welcome to the Boyd County Public Library Board of Trustees!

The Board is governed by the Kentucky Revised Statutes, its own Bylaws, and the policies that it sets. Policies may not change or circumvent the provisions set forth in the Bylaws. The Bylaws may not change or circumvent the regulations covered in the Kentucky Revised Statutes.

The Library is grateful for the efforts of its Board. Their governance is a service to the entire county.

BYLAWS

Created July 1994
Revised April 21, 2009

Article I (Authority)

Boyd County Public Library District is a tax-supported institution. It has as its legal basis the library laws of the Commonwealth of Kentucky, [KRS 173.710-173.800 "Library Districts Formed by Petition"].

Article II (Purpose)

The purpose of this board is to serve as the body corporate through which the best and most efficient public library service may be provided in and for the people residing in this district. This shall consist of establishing, equipping, and maintaining a headquarters library for the district plus such branches and special services as may be necessary in order to extend service to the county.

Article III (Board of Trustees)

Section 1. Duties and Responsibilities

The policy of the Board of Trustees shall be to:

- a) Employ a competent and qualified library director;
- b) Determine and adopt written policies to govern the operation and services of the library;
- c) Plan for the future by determining the purposes and goals of the library;
- d) Secure adequate funds to support and advance library purposes and goals;
- e) Assist in the preparation of the annual budget;
- f) Know the needs of the library in relation to the community;
- g) Know local and state laws; actively support library legislation in the state and nation; be aware of the services of the Kentucky Department for Libraries and Archives;
- h) Keep abreast of standards and library trends;
- i) Establish, support, and participate in a planned public relations program;
- j) Attend and participate in all board meetings; support board decisions;
- k) Participate in regional, state, and national trustee meetings, workshops, and affiliate with the appropriate professional organizations.

Section 2. Residency

Trustees shall be committed to the provision of library service and have legal resident within the county that the library district serves and receives tax monies.

Section 3. Appointment

The membership of this board shall consist of five (5) members. Appointment of vacancies shall be as follows:

- a. Applications for any vacancy shall be sought; in seeking recommendations for appointment, the Board shall attempt to assure that nominations to the board include members from different geographical areas, and from both cities and unincorporated areas of the county;
- b. Board members shall review applications and interview candidates, selecting two qualified candidates.
- c. Per KRS 173.730 (Board members—Terms—Vacancies to be filled by persons recommended by the board...)
 - a. The two recommended names shall be submitted to the state librarian;
 - b. Upon approval, the state librarian shall forward the names to the County Judge-Executive;
 - c. The County Judge-Executive, with the approval of the Fiscal Court, shall select and appoint one of the two submitted candidates to a term of four (4) years.
- d. Except for filling unexpired terms, trustees may serve two (2) consecutive terms, after which they shall not succeed themselves.

Section 4. Term Year

The term year for members shall be September 1 to August 31.

Section 5. Removal of a Board Member

Reasons for removing a board member shall include:

- a. Absence of a trustee, for whatever reason, from four (4) regularly scheduled monthly meetings of the board, during any one year of the trustee's term, shall constitute automatic resignation;
- b. Two (2) consecutive four (4) year terms have been served by a member;
- c. The statutes/by-laws that govern the members is not adhered to by said trustee;
- d. Inefficiency, neglect of duty, malfeasance, or conflict of interest are grounds for removal upon a majority vote of members at any regular meeting of the board, with a quorum present, provided the call for removal was in the call of the meeting. An affected party may seek legal action to challenge the removal based on KRS 65.007.

Under OAG 76-757 (Opinions of the Attorney General) there is no statute authorizing the fiscal court or county judge-executive to remove a library trustee under any circumstance. The Board of Trustees is a body politic and corporate. [Opinions of the Attorney General (OAGs) do not have the force of law. Formal opinions are thoroughly reviewed and represent the official position of the Office of the Attorney General. OAGs may be cited in all Kentucky courts.]

Article IV (Officers)

Section 1. Election

Officers of the Board of Trustees shall be elected by the board at the regular annual meeting and shall be as follows: President, Vice-President, Secretary, and Treasurer.

Section 2. Terms of Office

The terms of office for each office shall be:

- a. President and Vice-President shall serve one, two-year term in office;
- b. The Secretary and Treasurer shall serve one, two-year term in office;

No officer shall serve more than two consecutive terms in the same capacity.

Article V (Duties of Officers)

Section 1. President

The President of the Board shall:

- a. Preside at all meetings;
- b. Appoint all committees and serve as ex-officio member at any special committee meeting;
- c. Authorize calls for special meetings;
- d. Sign and execute approved contracts and agreements;
- e. Generally perform those duties of a presiding officer.

Section 2. Vice-President

The Vice-President of the Board shall:

- a. Perform the duties of the President in the absence of the President;
- b. Serve as President-elect.

Section 3. Secretary

The Secretary of the Board, through the Library Director and the Administrative Assistant, shall:

- a. Keep a true and accurate account of all proceedings of the board meetings;
- b. Issue notices of all regular meetings and, on authorization of the President, of all special meetings;
- c. Have custody of the minutes and other records of the board;
- d. Notify the appointing body of any vacancies on the board;
- e. Notify any trustee who has missed three (3) regular meetings in any one year of his/her term and notify any trustee of his/her automatic resignation upon missing four (4) regular monthly meetings in any one year of his/her term;
- f. Write official letters of the board and keep these filed with official library records.

Section 4. Treasurer

The Treasurer of the Board, through the Library Director and the Administrative Assistant, shall:

- a. Have charge of the library funds and income;
- b. Report at each meeting on the state of the funds;
- c. Sign checks on the account on the authorization of the Board and oversee a second signature by the President or other Member of the Board. [In the event an additional member is unavailable the Library Director may sign checks; under no circumstances may a Member of the Board or the Library Director sign checks issued in his/her own name.]

Article VI (Meetings)

Section 1. Regular Meeting Time

The Board of Trustees shall:

- a. Meet twelve (12) times a year;
- b. Meet once each month;
- c. Set the monthly meeting date and time at the annual meeting;
- d. Hold meetings at the library;
- e. Hold periodic meetings at each branch.

Section 2. Annual Meeting

The annual meeting shall be held at the time of the regular monthly meeting in October.

Section 3. Special Meetings

Special meetings may be called by the President, or upon the written request of two (2) members for the transaction of business stated in the call for the meeting.

Section 4. Notification

Notice of all meetings shall be given by the Secretary to all members with ample notice. For special meetings, twenty-four hours previous to the scheduled time shall be considered ample notice. The notice must contain the item(s) of business to be considered at the meeting.

Article VII (Quorum and Voting)

Section 1. Quorum

A quorum for the transaction of business shall consist of three (3) members of the board.

Section 2. Voting

Voting shall be as follows

- a. Each member of the board shall be entitled to one vote on all matters brought to a vote during a regular or special meeting in which said member is present and providing a quorum is present at the time;
- b. No voting shall be done by proxy;
- c. The President is eligible to vote on all matters coming before the board.
- d. Where a quorum consists of only three members, the vote must be unanimous.

Article VIII (Fiscal Year)

The Fiscal Year shall be July 1 to June 30.

Article IX (Committees)

Special committees for the study and investigation of special issues may be appointed by the President. Such committees shall serve until the work for which they have been appointed is completed.

Article X (Duties of Library Director)

Library Director shall be considered the chief administrator and negotiator of the library and shall:

1. Have sole charge of the administration of the library;
2. Be held responsible for:
 - a. selection and development of staff;
 - b. care of the buildings and equipment;
 - c. efficiency of the library's service to the public;
 - d. operation of the library under the financial conditions set forth in the annual budget;
 - e. implementation of policies as Created by the board;
3. Attend all board meetings;
4. Provide input to board and carry out plans for furthering the library's purpose and goals;
5. Draw up the agenda, in consultation with the President, for board meetings.

Article XI (Order of Business and Agenda Items)

Section 1. Order of Business

The order of business at the regular meetings shall be as follows:

1. Call to order
2. Approval of Agenda
3. Approval of Minutes
4. Financial Report

Section 2. Agenda Items

The agenda should include the following:

- Public Comments
- Business/Action Items
- Regional Librarian's Report
- Director's Report
- Committee and Staff Reports
- Discussion items
- Additional items
- Adjournment

Section 3. Public Comments

Any visitor to the Board meeting shall be permitted to address the Board concerning business directly related to the library. Visitors shall be allowed a maximum of five (5) minutes to articulate their concerns.

Article XII (Amendments)

These by-laws may be amended at any regular meeting of the board, with a quorum present, by a unanimous vote of the members present; any amendment must be stated in the call of the meeting.

Motion made by Ashley Skidmore, seconded by Melissa Boggs that the BYLAWS as set forth herein, be Created and declared by the President to be the official BYLAWS of the BOYD COUNTY PUBLIC LIBRARY DISTRICT BOARD OF TRUSTEES. Resulting Vote 4 Yes 0 No. Done this the 20th day of September, 2011.

CONFLICT OF INTEREST and CODE OF ETHICS

Adopted September 2011
Updated June 2012

Conflict of Interest

Boyd Public Library Board believes that it is fundamentally important that the public perceives that all policies and decisions of the Board are fairly and impartially determined, and that the personal financial interests of the Board members do not conflict with the interests of the Library. To that end, the Board has adopted the following policy:

1. A Board member shall not participate, directly or indirectly, in the making of any contract on behalf of the Library in which he or she has a personal financial interest; nor shall a Board Member participate in any decision or recommendation involving the Library in which they have a personal financial interest.
2. Any Board member aware of a personal conflict of interest regarding a matter coming before the Board shall bring this to the attention of the Board. The President of the Board shall rule as to whether the situation constitutes a conflict. If a conflict exists, the Board member shall abstain from voting and excuse him/herself from any discussion regarding the matter by leaving the room, and shall not be counted in determining the quorum if that has not already been established for the meeting. These points shall be recorded in the Minutes of such meetings.
3. In the event that the President has a conflict or perceived conflict, the Vice-President will fulfill the role of investigating and ruling on the conflict.
4. A Board member shall not participate in any way in deciding whether to hire any person related to him/her by blood or marriage closer than a second cousin, as an employee of the Library.
5. The Board, in accordance with this policy and applicable law, shall deal with any conflict of interest brought to its attention.

Board of Trustees and Library Employee Ethics Policy

Boyd County Public Library depends on the trust of the community to successfully achieve its mission. Therefore, it is crucial that all Board members and employees conduct business on behalf of the Library with the highest level of integrity and avoid the appearance of any impropriety.

Guiding Principles:

- Board members and employees should uphold the integrity of the Library and should perform their duties impartially and diligently.
- Board members and employees should not engage in discrimination of any kind, including that based on: race, gender, age, country of origin, class, ethnicity, religion, sexual orientation, or belief system.
- Board members and employees should protect and uphold library patrons' right to privacy in their use of the Library's resources.
- Board members should immediately disclose to the Board, any conflict of interest they may have with regard to any official action or business before the Board, and abstain from any involvement in or decision-making on said issue if they do have such a conflict of interest.
- Board members and employees should avoid situations in which there is a reasonable probability that their personal interests may appear to be in conflict with the best interests of the Library.
- Board members should abstain from any official action in which their personal interest could reasonably be perceived as compromising their ability to act in a fair, impartial and objective manner.
- Board members should not use Library resources, or allow Library resources to be used, for their own personal use or benefit.
- Board members and employees should not act in any way that may reasonably create an impression that they are engaged in conduct that violates their responsibilities as Board members or employees.
- Board members and employees should not use or attempt to use their position with the Library to obtain personal privileges or advantages for themselves, their friends, or their families.
- Board members and employees should not be swayed by partisan interests, public pressure, or fear of criticism when carrying out their official duties.
- Board members and employees should strive to uphold the integrity of the Library and be respectful to their fellow Board members and Library employees in public settings.

Therefore:

To preserve and uphold Boyd County Public Library's reputation as an organization of unimpeachable integrity, each Board member and employee will sign a statement acknowledging receipt and understanding of the "Conflict of Interest" and "Ethics"

policies at the beginning of each calendar year (and at the commencement of his/her service) during his or her tenure with Boyd County Public Library.

Compliance:

If any Board member or the Director appears to be in conflict of the “Guiding Principles” above, he or she will be asked to meet with the Board as a whole to discuss the issue. The Board will make a recommendation to the Board member or Director as to how he or she may rectify the conflict. Failure to rectify the conflict to the satisfaction of the Board or law may result in a Board recommendation for the removal of the offending Board member or termination of the Director. Employees who are or appear to be in conflict with the “Guiding Principles” will be asked to meet with the Director who will make a determination as to discipline or termination based on his or her findings.

Acknowledgement:

The following statement will be completed and signed annually by each Board member. This requirement does not absolve any Board members of their independent obligation to disclose any conflict of interest as it arises on an ongoing basis. Completed forms shall be reviewed by the Library’s attorney and retained as a part of the Library’s financial records:

I, _____, acknowledge my review of the Library’s Ethics Policy. As a part of my commitment to the transparent administration of the Library’s business and finances, I affirm as follows:

- I have no affiliations to business, political, or other interests which would influence the decisions that I make in regards to the Library’s business and finance.

- I disclose the following affiliations that may influence my decisions or that should be a consideration when actions are made by the Board:

Signed: _____ Date: _____

APPOINTMENT OF BOARD MEMBERS

Created January 2007
Revised September 2011

Board Diversity

The Board recognizes the need for diversification among its members so that a variety of segments and interests within the population are represented. The Board also requires (as mandated by KRS 173.725) that its members represent all of the geographical regions of the county. Special attention will be given to developing an array of professional experience that will benefit the Board's decision making abilities.

Postings and Applications

All Board openings will be posted. Notification of the opening will be sent to the paper of record and posted on the library's website. Postings will include any specific interest(s) that the Board expects of the applicants, the geographical area that requires representation, and the term of office.

Interested applicants will be required to submit an application. Applications will be collected by the Library Director.

Board members seeking a second term will be required to submit a letter of interest. A second term is not automatic and must follow the selection process.

Selection Committee and Interviewing

The Board will nominate a Selection Committee for reviewing all applications. This Committee will be responsible for selecting three (3) to five (5) most qualified candidates and inviting them to a board meeting for interviewing.

The Board will interview selected candidates and determine the most qualified to submit for appointment.

Submission and Approval

With the Board's approval, the Library Director will submit the names of the selected candidates to the State Librarian for approval. The State Librarian will send the approved names to the County Judge-Executive for appointment. Appointments will be made by the Judge-Executive and approved by the County Commissioners. By statute, the Judge-Executive may only choose from the names that are submitted by the Library's Board.

Until such appointment is made, the current Board members continue to serve in their present capacities and offices.

Oath of Office

All incoming Board members will be sworn in by the County Judge-Executive or by a qualified and approved notary public of the Commonwealth of Kentucky. Appointments for the administering of the oath of office are made by the Judge-Executive's office.

Open Meetings and Open Records statement

Each Board member, upon appointment, must sign a document that is provided by the County Judge-Executive which details the Board's support of Open Records and Open Meetings laws.

Termination

Board members are appointed by the Judge-Executive and may not be removed by a decision of the Board itself. The Board may recommend to the Judge-Executive that a board member be removed for inefficiency, neglect of duty, malfeasance, or conflict of interest.

Resignation

A Board member may resign at any time. If a Board member resigns, the Board follows the same process for filling the position as it would a position vacated in the regular fashion. The incoming Board member would, however, only serve the remaining term of the outgoing Board member. The incoming Board member would be eligible to serve up to two more terms, if appointed.

Resignation by non-attendance

A Board member who fails to attend four Board meetings during a year will automatically be determined to have resigned from the Board. (Each "year" begins on the first day of the Board member's appointment which is generally September 1.) In such a case, the Board will notify the State Librarian and the County Judge-Executive. The Board will then begin procedures to fill the vacant position.

ORIENTATION OF NEW BOARD MEMBERS

Created September 2011
Updated June 2012

Body County Public Library recognizes the importance of Board member orientation to the Library's efficient operation. Once a Library Board member has been appointed and taken the oath of office, the Board member will go through an orientation process that encompasses the information and tools needed to understand the duties and responsibilities of being a Board member. This orientation process will be conducted collaboratively by the Director, President, and the Kentucky Department of Libraries and Archives Regional Consultant.

Once the new Board member has been appointed, the Director or President will contact the Board member to welcome him/her to the Board and set up an appointment to have an orientation session. The Director will assist in scheduling an opportunity for the regional consultant to provide additional orientation information in conjunction with, or in addition to, the Library orientation.

Board member orientation includes introducing the Board member to the following documents, as well as any other documents necessary for compliance with Kentucky law governing libraries and information specific to the library:

- Kentucky Public Library Trustee Manual provided by the Kentucky Department for Libraries and Archives
- A list of Board members with their contact information, terms of office, and offices held
- The location and schedule of Board meetings, Board bylaws and policies
- Board packets from the previous six months of Board meetings;

Documents each Board member must receive within 60 days of their appointment shall be included at the orientation:

- *Your Duty Under the Law*
- *Managing Government Records*
- Proof of Receipt to acknowledge that those two documents have been received.

When the Proof of Receipt has been signed, copies of these documents will be retained by the library.

Additional documents that will be provided as part of the orientation process will include the following documents:

- All Library policies;
- Current organizational chart;
- Current Strategic Plan;
- Current and previous year's budget and capital outlay plan;

- Library's tax rate;
- Latest Annual Report;
- Current Standards Report;
- Brochures and other information about the library and library services;
- PR and information on any recent Library accomplishments

During the orientation, the facilitator and/or director will address:

- Current issues in the Library;
- Board operations;
- Policies and procedures;
- Current budget and budgeting procedures;
- Long range planning.

The orientation process shall also include a tour of the Library facilities and an introduction to the Library staff, allowing the new Board member to ask questions in context as they view the different services, activities, and areas of the Library facilities. Some topics that might be addressed and discussed during the tour include:

- How the Library is operated on a day-to-day basis
- How the Library is linked to other resources and libraries
- How the Library serves the needs of the community
- How the Library could better serve the needs of the community

Every attempt will be made by the President, Director, and Kentucky Department of Libraries and Archives Regional Consultant to provide the new Board member with any additional pertinent information requested to assist in equipping the Board member with the knowledge and skills necessary to succeed in their new role.

ORIENTATION OF NEW OFFICERS

Created September 2011

During the transition of office, outgoing officers of the Board will provide a brief orientation of duties to the incoming officer. The Director will attend this meeting.

President

The outgoing President will provide:

- A brief explanation of parliamentary procedure used when holding Board meetings. (*The Democratic Rules of Order* is used.)
- A brief explanation of regular duties including:
 - Signing the minutes of the previous meeting;
 - Chairing meeting;
 - Other duties.

Secretary

The outgoing Secretary will provide a brief explanation of regular duties including:

- Process for recording minutes;
- Signing the minutes of the previous meeting;
- Process for official correspondence.

Treasurer

The outgoing Treasurer will provide a brief explanation of current check signing procedures.

The incoming Treasurer will be bonded by the Library. The incoming Treasurer will also need to have his/her signature established by the Library and banking authorities as valid for the purpose of administering funds.

The outgoing Treasurer will likewise be withdrawn (as necessary) as a signing authority for Library funds. The outgoing Treasurer's bond will be also be withdrawn.

BOARD COMMUNICATIONS

Created September 2011

This policy is intended to cover only the internal communications of the Board.

Board Packets

The Director will distribute to all Board members a packet of materials prior to each Board meeting. Packets may be mailed, file attached to email, or left for pickup at any branch location.

The packet will include:

- The agenda for the upcoming Board meeting;
- A narrative report from the Director on library activities that month and current issues;
- Library statistics for each branch and the entire system including:
 - Monthly circulation;
 - Visitor counts;
 - thebookplace.org usage;
- Minutes of any Board meetings since the last packet was sent;
- Current monthly revenue and expenditures reports;
- Year to date income and expenditures reports;
- Transaction report which details all checks written by the Library during the past month;
- Other information pertinent to discussions by the Board during the upcoming meeting.

It is the responsibility of each Board member to familiarize him/herself with the materials in the packet prior to the upcoming Board meeting.

Library Intranet

The Library maintains an intranet (generally referred to as “The ExFiles”) for communication among its staff members. Board members will be issued a username and password in order to access this tool.

Email

The Library provides an email account to most of its staff for internal communications. Board members may request an email account through the Library or use their own private email accounts to conduct Library business. Board members should remember that all work-related communications are subject to the Open Records Act. By statute, all work-related email messages must be retained for two years.

Contact information

The Library maintains contact information for all Board members. This information will be updated annually. The contact information for Board members is public record and will be released to the public upon request and advertised to the public as required by law.

CONTINUING EDUCATION

Created September 2011

The Kentucky Department for Libraries and Archives (KDLA) strongly encourages continuing education activities that involve Board members. In addition, it is a part of the Kentucky Public Library Association's "State Standards" that the library has incorporated as part of its strategic plan.

Each year, KDLA hosts an annual continuing education workshop. Other regional workshops may also be given.

In addition to these workshops and conferences, Board members may also be given opportunities to attend special programs that focus on particular library issues including library administration, library promotion, and policy making.

Board members are sometimes asked to attend meetings with the Library staff.

An email listserv for Board members is maintained by the Kenton County Public Library. This listserv allows Board members across the state to communicate with each other and help each other in the execution of their duties. Board members who wish to be added to the listserv should contact the Director.

REIMBURSEMENT OF EXPENDITURES

Created September 2011
Updated June 2012

Board members may be reimbursed only for out-of-pocket expenses actually incurred and given prior authorization by a vote of the board (KRS 173.740).

Original receipts must document claimed expenses. No expenses will be reimbursed for friends or relative accompanying a board member on business. No expenses will be reimbursed for non-business-related travel or extension of stay beyond completion of the business of the library

Reimbursement of authorized out-of-pocket expenses will be according to the same reimbursement policy applied to staff as found in the Personnel Policies, Section 6: Travel.

PUBLIC RELATIONS

Created September 2011

Library Promotion

Each Board member has the responsibility to promote the Library to the community. Such promotion may include:

- Mentioning the Library and its services to members of the community;
- Supporting library-friendly legislation with elected officials;
- Representing the Library at community functions.

Public Statements

The Board appoints and supports the Library Director as the public relations official for the Library. Generally, the Board will allow the Director to issue statements on behalf of the Board and the Library without prior approval. In special cases, the Board may choose to limit the Director's statements or ask for prior approval.

In some cases, the Board may choose to issue statements on behalf of the Library. Generally and where feasible, such statements should be coordinated with the Library Director's input. If the Board chooses to make public statements, remarks should be communicated by the President of the Board with the approval of the full Board.

RECRUITMENT AND HIRING OF LIBRARY DIRECTOR

Created September 2011

One of the Board's primary and most important responsibilities is hiring the Director of the Library. The Board may choose to modify the procedures outlined below as it sees fit. The Board may also choose to hire an outside contractor to conduct the search for a new Director.

Search Committee

Upon notification of the current Director's separation from service, the Board will form a Search Committee from its membership to oversee and coordinate the search for the new Director. The Search Committee may include the current Director, the Interim Director, the Human Resource Manager or another individual contracted by the Board to assist in the selection process.

The Search Committee should determine a designated contact for individuals to solicit for information, to arrange interviews, to gather correspondence, and to generate correspondence. [The Library's Administrative Assistant is a logical choice.]

The Search Committee should agree on interview questions. The same questions should be used in all interviews. All members of the Search Committee should be involved in asking questions during the interview. The Search Committee may choose to solicit questions from the Library's management team. The management team may also solicit suggestions for questions from the general staff.

The Search Committee should prepare a procedure and time frame for:

- Advertising the position;
- Selecting candidates;
- Conducting and evaluating initial interviews;
- Conducting and evaluating second interview(s);
- Proposal of the selected candidate to the Board for approval.

The Human Resource Specialist (whether acting as the designated contact or not) will be able to assist with many of these activities.

Advertising

The Search Committee will review the current job description for the Director and generate a job posting based upon that description. The revised job description and job posting should be approved by the full Board.

The job posting should include:

- A brief description of the Library's facilities;
- A brief description of the Library's collection;
- A brief description of the Library's staff (the number of total staff, the number of FTEs, the number of MLS librarians, the size of the management team);
- A brief description of the community;
- Job responsibilities;
- Education requirements;
- Experience requirements;
- Salary range;
- Name of the designated contact for the Search Committee;
- Mailing address for applications.

The Library should advertise the open position thoroughly including postings on:

- All public and staff bulletin boards;
- The Kentucky Department for Libraries and Archives website;
- *The Daily Independent*;
- The Public Library Association website;
- *American Libraries* magazine;
- *Library Journal* magazine.

Selecting Candidates

The Search Committee will review all applications and select candidates for interview.

Candidates who are not local should be reimbursed for travel, meals, and lodging. Mileage should be reimbursed at the rate set for Library staff.

The Search Committee may also choose to conduct telephone interviews with candidates who are not local. Even if telephone interviews are conducted, the candidate should be asked to come to the Library for a regular interview. If a telephone interview is conducted, the Search Committee should agree on a format and questions for the interview.

Each candidate should be informed of the interview process and given a timeline for the process.

Initial Interview

The initial interview should involve only the candidate and the Search Committee. From these interviews, the Search Committee will select a candidate(s) for a second interview.

Second Interview(s)

The candidate(s) selected for a second interview should be given a packet of information including:

- The current Long Range Plan for the Library;
- A copy of Personnel and Library Policies;
- Minutes from a recent Board meeting;
- A copy of the Library's current annual report;
- A copy of the Library's current budget, balance sheet, and financial statement.

The purpose of this packet is to give the candidate(s) a sense of the Library's current issues and future plans.

The second interview(s) should include:

- A meeting with the Search Committee;
- A tour of the Library's facilities;
- A meeting with a group composed of:
 - Two representatives from the Library's management team;
 - One representative from the Friends of the Library;
- A meeting with the full board. The Board should prepare set interview questions and involve all members. The Selection Committee can inform the Board of previous discussions with the candidate(s).

After the second interview, the Search Committee should consult with the representatives of the Library's management and the representative from the Friends of the Library to solicit their opinions.

Selecting a final candidate

After the second interview, the Search Committee may choose to recommend a candidate(s) to the Board. The Board will vote to select a candidate. The Board should also discuss any salary limitations or other contractual arrangements that are appropriate. (See Appendix A: Sample Contract for Director.)

Job Offer

The President of the Board should contact the selected candidate to offer the job. Details of the candidate's salary and other contractual arrangement should be discussed with the candidate at this time.

After this discussion, a formal letter of offer including the contract for employment should be sent to the candidate. Once these documents have been returned, the Administrative Assistant should be notified so that other employment documents can be mailed.

Announcing the Candidate

The Interim Director should notify the management team of the candidate's acceptance. The Interim Director should then notify the staff and provide some biographical information about the new Director.

A meeting of the Library's staff with the candidate should be arranged by the Interim Director. The Board of the Friends of the Library should be invited to this meeting.

A press release should be sent announcing the Library's new Director to the public.

Letters of Non-Acceptance and Extended Search

A form letter to all applicants for the position of Director should be sent by the official contact person advising them that the position has been filled.

Personalized letters should be sent to all applicants whom the Board interviews but chooses not to hire.

If the search for the new Director becomes extended (longer than three months), the contact person will send a form letter to all current applicants advising them of the extension.

Documentation

All documentation created by the committee including any received resumes, correspondence, background checks, and related information should be returned to the Administrative Assistant. This information will be retained for a minimum of one calendar year.

Documentation for the successful candidate will become a part of the employee's personnel file.

CONTRACT FOR DIRECTOR

Created September 2011

Initial Contract

The Board will negotiate a contract with the incoming Library Director at the time the position is offered.

The contract will include:

- The negotiated salary;
- Other negotiated benefits including leave;
- Annual merit increase;
- Separation clause for the Board;
- Separation clause for the Library Director;
- The contract term.

Other benefits for the Director are the same as those of regular Library employees. The Board may negotiate any special provisions of the contract with the Director at the time of hiring or during contract renewal.

Contract Renewal

The contract term is set by the Library Director and the Board. Before the end of the contract, the Board will meet with the Library Director in executive session to discuss the terms of the new contract. The renewed contract will contain all of the elements of the initial contract, removing any unnecessary special provisions and adding any new.

EVALUATION OF LIBRARY DIRECTOR

Created September 2011

The Board will evaluate the Library Director annually. The format for evaluating the Director will be agreed upon by the Board and Library Director. The timing of the evaluation should coincide with the Director's anniversary date for employment.

Each Board member should be given the opportunity for input in the Director's evaluation. Board members should be given this opportunity in executive session without the Director present.

The Board President (or Review Committee Chair) will discuss the comments of the Board with the Director. Both the Director and the President should sign all copies. The Director's signature is not meant to imply agreement, only receipt and acknowledgement of discussion. The chance for a written challenge should be allowed. The written evaluation (and any challenge) should be included in the Director's personnel file. Copies of the compiled evaluation (and any challenge) should also be distributed to each Board member.

If there is a challenge to an evaluation, the Board will meet to discuss the challenge with the Director in closed session. The same conditions which might apply as in a disciplinary action (including the ability to produce witnesses) will be allowed. The Board will deliver a written response to the challenge within seven calendar days. The response will become a part of the Director's personnel file.

DISMISSAL OF THE DIRECTOR

Created September 2011

The Board has the responsibility and the obligation to ensure that the Library Director is performing his/her duties in a fashion that will sustain and enhance quality service to the patrons of the Library. As such, the Board may take action to remove a Library Director whose performance has become detrimental to the continued advancement of the Library.

The Board should follow an established and logical procedure in the discipline of a Library Director whose performance has become suspect.

Investigation and Discussion

The Board may choose to meet in executive session at any time to discuss the performance of the Director. The Director may or may not be present, as the Board wishes. If the Board needs assistance, other individuals may be asked to attend such meetings including:

- A Regional Librarian or other representative from the State Library;
- The Library's attorney;
- Staff of the Library;
- Other individuals whose advice or testimony might be valuable to the Board in conducting an investigation or making a decision.

Disciplinary Procedure

After the Board has discussed the Director's performance, the Board may choose to:

- Ask the President of the Board to speak with the Director privately;
- Ask the Director to attend a meeting with the Board in executive session to discuss any issues;
- Meet in executive session to draft a written letter of reprimand for the Director;
- Suspend the Director with or without pay until further discussions can take place or further guidance can be solicited;
- Terminate the Director.

While this list does outline a procedure, the Board is in no way obligated to follow the list sequentially. Depending on the nature of the Director's failure to perform to the Board's satisfaction, the Board may choose to skip any steps in the disciplinary process that it deems prudent.

Termination

If the Board chooses to terminate the Director, grounds for such dismissal should be reviewed with the Library's attorney. The attorney should also advise the Board regarding its legal obligations under the existing contract with the Director.

The full Board, a committee or delegation of the Board, or the President of the Board should meet with the Director to outline the reasons and conditions of his/her dismissal.

INTERIM DIRECTOR

Created September 2011

If the current Library Director is unable to perform his/her duties for any reason, it is the Board's responsibility to provide for an Interim Director for the continued and uninterrupted administration of the Library.

Selection

The Board may choose to select anyone willing and capable of administering the Library as Interim Director. The Board will, however, seek to fill the position with a candidate who generally meets the expectations for someone hired for the position.

The Board may choose to temporarily promote a current staff member to the position of Interim Director while the new Director is being hired.

The selected Interim Director should not be a key or substantial witness to any investigation involving the outgoing Director, if such a situation should exist.

The selected Interim Director should be contacted by the President of the Board (or designee) when the position is offered.

Contract for Interim Director

The Board will negotiate a temporary contract with the Interim Director. Salary should be based upon a negotiated settlement with the candidate. If a current staff member is chosen, the negotiated salary should be informed by the candidate's current salary. Current salary information can be obtained through the Administrative Assistant.

The contract should expire with a suitable overlap period for the transition from the Interim Director to the new Library Director.

Any special responsibilities or limitations that the Board chooses to place upon the Interim Director should be outlined in the contract.

Special Considerations

If the outgoing Director was terminated by the Board, the Interim Director should be informed of any issues that she/he might face as a result. The Interim Director should not be informed of any issues that may result in litigation unless such information is necessary to the continued administration of the Library. Before any such discussions of a termination, the advice of the Library's attorney should be sought.

The Interim Director may or may not be involved in the search for a new Director as the Board chooses. If the Interim Director is a candidate for the open position, she/he should not be involved in any way in the search for a new Director.

The Board should keep in mind that if the Interim Director is selected from the staff that the responsibilities of that staff member will need to be adjusted. Other staff members who take on these obligations might also have to receive adjusted salaries during this interim period.

GRIEVANCES

Created September 2011

Staff members of the Library have the ongoing opportunity to file formal grievances with the Board. The Grievance Policy is contained in the Personnel Policies of the Library. The Board should ensure that the staff member has completed all of the steps outlined in the Personnel Policies before a grievance hearing is granted.

Staff members who are granted a hearing should be given that opportunity at the next scheduled Board meeting. Prior to the hearing, the Board President (or designated individual) should contact the staff member to ascertain whether other witnesses will be requested by the staff member. The staff member should be limited to an appropriate amount of time (generally thirty minutes) to present his/her arguments. The staff member should be informed of the allotted time prior to the hearing.

The hearing will be conducted in open session.

During the hearing, the Board may ask questions and request other information or witnesses as necessary. The minutes of the hearing will be a part of the Board's regular minutes but should also be recorded separately for inclusion in the personnel file of the employee.

After the hearing, the Board President (or designated individual) will write a summary of the Board's decision including any corrective measures that may be deemed necessary. The written decision will be included with the Board's regular minutes and will be included in the employee's personnel file. The decision will also be delivered to the employee.

All decisions of the Board in a grievance hearing are final. If the employee is not satisfied with the Board's decision, she/he may pursue legal advice or actions as she/he deems appropriate.

Whistle Blower Policy

Created June 2012

Boyd County Public Library is committed to operating in compliance with all applicable laws, rules and regulations, and it prohibits unlawful retaliatory practices against its employees by any of its board members, officers, employees, or agents. This policy outlines a procedure for employees to report any actual or suspected violations of law or policy, or any facts or information relative to actual or suspected mismanagement, waste, fraud, abuse of authority, or substantial and specific danger to public health or safety to any public body with apparent authority to remedy or report such actions. This policy applies to any matter which is related to the Library's business and does not relate to private acts of an individual not connected to the business of the Library.

The Library will not subject any employee to reprisal, either directly or indirectly, for having made a good faith report of suspected wrongdoing of the type set-forth above, either internally to the Board or Director, or externally to any public body with apparent authority to remedy or report such wrongdoing, nor will the Library take any such retaliatory action against any person who supports, aids, or substantiates such an employee in having done so.

In addition, The Library will not, with the intent to retaliate, take any action harmful to any employee who has provided to law enforcement personnel, or a to court, truthful information relating to the possible commission by any of its employees, officers, Board members or other agents, of any wrongdoing of the type set-forth above.

If a Boyd County Public Library employee has a reasonable belief that any of the Library's officers, employees or Board members has engaged in any wrongdoing of the type set-forth above, that employee is encouraged to immediately internally report such information to the Library Director or to the Board of Trustees.

Suspected wrongdoing of the type set-forth above may be internally reported by the employee confidentially or anonymously. Reports of suspected wrongdoing will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

All internal reports of suspected wrongdoing of the type set-forth above will be promptly investigated as appropriate. In conducting its investigations, The Library will strive to keep the identity of the reporting employee(s) as confidential as possible.

Boyd County Public Library may take disciplinary action (up to and including termination) against any employee who has engaged in unlawful retaliatory conduct in violation of this policy.

STRATEGIC PLANNING

Created September 2011

Planning for the future development of the Library's facilities, staffing, and services is one the most important functions of the Board. Each year, the Library should revisit its long range or strategic plans, revise them as necessary, and discuss the past year's performance.

The Board may choose to hold a special meeting or retreat to discuss the long range planning of the Library. While the entire Board should be involved, a subcommittee may also be formed to participate more intimately with the planning process.

The Director will provide a copy of the approved long range plan to the Fiscal Court and, as required, with submission of Annual Report to the Kentucky Department for Libraries and Archives.

TAX RATES

Created September 2011

The Library receives revenue from taxes as a special taxing district. Taxes are collected by the Sheriff and County Clerk on behalf of the Library. For this service, the Sheriff and the County Clerk receive a percentage of the total revenue collected as compensation for their expenses in collecting the tax.

The tax rate is proposed each year based on revenue projections provided by the Kentucky Department for Libraries and Archives. These projections are based on the value of property as assessed by the Boyd County Property Valuation Assessment office and certified by the Kentucky Department of Revenue. The time line for the process is addressed in the Kentucky Revised Statutes and can vary.

Separate tax rates are determined for:

- Real Estate—Includes all real estate that is privately held within the county. The collection does not include property that has been given a “tax break” as determined by the federal, state or local governments. This tax represents the bulk of the Library’s income from taxes;
- Personal Property—Includes all taxable personal property of a business including furnishing, equipment, and inventory;
- Motor Vehicles and Watercraft—The tax rate for this category, by state law, may not exceed the rate set on January 1, 1983.

In addition to these tax rates, the Library also receives revenue from the following taxes:

- Franchise Tax—This tax includes the property of public service businesses who own property over a large region including railroad and utility companies. The tax is assessed by the Kentucky Department of Revenue. The Library’s revenue from this tax is determined by the tax rate set on both real estate and personal property taxes. The tax is collected and distributed by the Sheriff;
- Railroad and Aircraft—The railroad tax is based on the number of miles of railroad track and the traffic on those tracks. The tax rate is based on the Library’s personal property rate. It is collected and distributed by the Kentucky Department of Revenue. Aircraft in Boyd County are all privately owned aircraft. The tax is based on the personal property tax. The tax is collected and distributed by the Kentucky Department of Revenue;
- Omitted Tangibles—This tax is assessed on property (motor vehicles, furnishing, inventory, etc.) that was not reported at the beginning of the calendar year to the county Property Value Assessment Office. It is assessed, collected, and distributed by the Kentucky Department of Revenue. The tax rate is determined by the personal property tax rate;
- Telecommunication Tax—This tax is assessed on the service provided by satellite, cable, and telephone companies. This tax is assessed, collected, and

distributed by the Kentucky Department of Revenue. The tax rate used for this tax is the personal property tax.

Each year, the Library may adopt a tax rate that produces a 4% increase (or less) in income without the option for public petition to recall the tax. A tax rate that produces revenue that exceeds a 4% increase in income is subject to public petition and recall within 45 days.

Tax Rate Hearing

The Library Director will ensure that appropriate legal postings are placed in the Library's paper of record concerning all matters related to setting the tax rate.

The tax hearing is a public meeting; it must be open to the public at all times. The hearing must be held at a time and place which is convenient to the public.

Members of the public may attend the hearing and cannot be required to identify themselves (or "sign in") in order to attend. The library cannot place conditions on attendance of the public other than the conditions required to maintain order. The library must permit news media coverage, including recording and broadcasting. A member of the public, as well as the media, must be permitted to record the meeting.

Since the General Assembly has not established procedural rules for the conduct of meetings and citizen participation, each library district must adopt its own rules of procedure, but those rules cannot conflict with the Open Meetings Act. This includes the ability to place "reasonable time limits" for each speaker. A quorum of the board is not required to attend the meeting, though if one does it becomes a "special board meeting" under the open records act (96-OMD-157). The information which must be contained in the hearing notice is detailed in KRS 132.023. This information is provided with the tax rate information KDLA sends to the Library.

ANNUAL BUDGET

Created September 2011

The annual budget is created by the Library Director, with input from the Management Team. The Board reviews the proposed budget in detail with the Director. The Board will approve the finalized budget in May of each year.

The budget includes projected income from:

- Taxes
 - Includes all tax receipt checks received from the County Clerk, the Sheriff's office, and the Kentucky Department of Revenue.
- Services
 - Includes income from copiers, fines, and fees.
- Donations
 - Includes donations from the Friends of the Library and other occasional donations from individuals and organizations in the county.
- Grants
 - Includes the annual state aid check from the Kentucky Department for Libraries and Archives and any other grant money that the Library currently is eligible to receive.
- Other
 - Includes income from the Library's participation in the e-rate subsidy program and other miscellaneous income (generally reimbursements) received by the Library.

The budget expenditures for the Library include:

- Salaries and Benefits
 - Includes salaries, benefits, retirement, various employee related insurance costs, and other miscellaneous personnel expenditures.
- Library Materials
 - Includes expenditures for print- and non-materials, electronic databases, periodicals, and electronic materials.
- Operating Expenditures
 - Includes utilities, telecommunications, service contracts, payment for services, insurance for facilities, public relations, programs, and other miscellaneous expenses.
- Staff Education
 - Includes staff development expenses such as travel, mileage, conferences, workshops, classes, and other miscellaneous continuing education expenses.
- Capital Outlay
 - Equipment and furnishings—Includes new equipment and furnishings.
 - Capital Improvements—Includes renovation or building projects.
 - Technology—Includes computers and networking projects.

By law, the budget expenditures must be equal to the budgeted income. The Library can direct revenue into reserve accounts to apply toward future capital expenditure projects.

Budget Reports

The Board is provided with an abbreviated copy of the Library's budget in its monthly packet. A more detailed version can be requested at any time. The final budget report to the Board for the fiscal year is provided in detailed form. A list of all financial transactions is provided to the Board each month.

A copy of the abbreviated budget report is placed on the Library's website. A full copy of the budget is available to the staff and Board through the Library's intranet (or "The ExFiles").

The Library files an annual Uniform Financial Information Reporting (UFIR) form with the Department of Local Government. A summary of the proposed annual budget is filed with the County Clerk each year as well. A report of the Library's past fiscal year expenditures is included with the annual report filed with the Kentucky Department for Library and Archives (KDLA).

ANNUAL AUDIT

Created September 2011

The Library is audited following each fiscal year by an independent accounting firm certified to conduct audits under current governmental accounting rules and standards. The Board will approve the accounting firm used for this service.

The accounting firm will:

- Conduct tests of the Library's accounting practices;
- Evaluate the Library's financial status including all liabilities and assets (both financial and physical);
- Create a written report on the Library's financial status;
- Review and provide a written report on the expenses related to the Library Director.

The Board will approve the report of the auditor in October. The Library is required to submit two copies along with the annual report to Kentucky Department for Libraries and Archives. Copies of the report will be kept in the Library's Administration Office and will be made available to interested parties or individuals as required. Each Board member will be given a copy of the final report.

LITIGATION

Created September 2011

When the Library becomes involved in litigation, the Board will retain the services of a lawyer trained in the type of litigation being conducted. The Library retains a lawyer at all times for consultation.

Board members will not comment to the press during the course of litigation. All communication with the press will be channeled through the Library's appointed attorney or the Library Director. If the Board's direct opinion is solicited, all communication should be conducted through the President of the Board and should be a reflection of the entire Board's opinion.

PROFESSIONAL ASSISTANCE

Created September 2011

The Board may occasionally retain the services of a contracted professional to advise or provide expertise in a particular area. This may include:

- Special legal counsel;
- Architects;
- Financial auditors;
- Other special services.

When the Board retains such services, communication with the contracted agent should be delivered through the Library Director or the President of the Board in order to avoid excessive billable charges for services.

The Board may also seek the professional assistance of the Regional Librarian and other individuals employed by the Kentucky Department of Libraries and Archives (KDLA).

LIBRARY POLICIES

Created September 2011

Overview

The Library relies upon many policies in order to provide for its day to day operations. The policies of the Library are grouped into eight categories:

- Library Policies
 - Circulation policies cover all aspects of the Library's circulation of materials including library cards, loan periods, damaged/lost materials, and fine schedules. All circulation staff should review these policies frequently.
 - General policies cover most of the operations of the Library. While all of the policies in this grouping are important, some have more impact on a day to day basis including: *Acceptable Behavior Standards*, *Internet Acceptable Use*, and *Unattended Children*. Supervisors should review these three policies regularly with staff.
 - The Meeting Room policy also contains the form for its use. It is maintained separately from these groups.
- Collection Development Policies
 - Collection Development Policies guide the Library in selecting/adding materials to the collection, withdrawing materials from the collection, adding new formats for materials, and accepting donations; it also provides an overview of the ordering process.
- Emergency Procedures
 - Emergency Procedures cover all types of major and minor incidents that the Library could face including natural disasters, patron misbehavior, building/facility failure and other similar events.
- Financial Policies
 - Financial Policies cover purchasing authority and procedures.
 - It covers purchasing, the Model Procurement Code, income and disbursements, petty cash and credit card handling, director's expenses, fraud prevention, and investing.
- Personnel Policies
 - The personnel policies define the working environment, job classifications, leave policies, benefits, evaluations, grievance procedures, travel policies, and other general work polices. Every employee should review these policies at the time of hiring and at the time of his/her annual evaluation. Supervisors may also find it necessary to review them with an employee during a disciplinary action.

- [Volunteer Policies are in creation
 - Volunteer Policies will govern the Library's use of volunteers in the conduct of its operations. These policies will be reviewed with each volunteer at the beginning of volunteer service.]

Creation

The Library Director is tasked with the creation of Library policies. The Board should, however, recommend the creation of policies as deemed necessary and beneficial to the ongoing administration of the Library.

Policies created by the Library Director will be approved and reviewed by the Board.

Revision

Policies are reviewed by several review committees, made up of relevant and involved staff and/or board members as needed. The Board reviews the policies of the Library according to an annual schedule. While revision of the policies may occur at any time, the annual review provides the opportunity for discussing and anticipating any necessary changes.

The Board will review the Library's policies according to the schedule in *Appendix B: Timeline of Board Activities*.

Administration

The Library Director is charged with the administration of approved policies of the Library. The Director, in coordination with the Library's other managers, will determine procedures for the administration of the policies.

The Library Director will ensure that policies and procedures are communicated to the staff of the Library.

COMMITTEES

Created September 2011

The Board utilizes committees to make efficient and thorough use of its time. Although any number of Board members may participate on a committee, the number of members will usually be two or less. (Meetings of Board members for any library-related purpose must be advertised and follow regular parliamentary procedure. See also *Open Meetings and Open Records*.) The Library Director may be asked to serve on Board committees as a regular part of his/her duties. Other staff members may be invited or tasked by the Board to also serve on committees.

Formation, Tasking, and Dissolution

Committees are formed from the regular Board members. The selection of committee members will be approved by the entire Board. The tasking of the committee will be approved by the entire Board. The committee will be dissolved by the Board upon the request of its members, upon completion of its duties, or by the choice of the entire Board.

Regular Committees

Although the Board may form a committee for any reason that is deemed necessary, there are several committees that are regularly formed by the Board in the course of its duties:

- Board Member Selection Committee
 - The Board Member Selection Committee will be formed in the spring of each year in which any board member's term will expire, upon notification of a board member's intent to resign from the Board, or after a resignation due to failure to attend regular Board meetings. The Board cannot remove a member by its own decision. See also *Appointment of Board Members*.
- Other committees as required

Library Committees

The Library Director may ask the Board to provide representation on a committee formed for the coordination and implementation of regular Library operations. Members of the Board may also ask to serve on regular committees of the Library.

OPEN MEETINGS

Created September 2011

The Board shall always operate in accordance with the Kentucky Revised Statutes (KRS) that govern the public's right to attend all meetings, be informed of such meetings, and have open access to the records of the Library.

Advertising Meetings

All meetings of the Board must be in accordance with applicable Kentucky Revised Statutes governing its regular, special, and committee meetings.

The Board may choose to meet at a location other than the Library. Advertising such meetings follows the same rules as established in the Bylaws.

Public Attendance of Meetings

The Board shall allow the public to attend any meeting of its members. Such meetings shall be advertised at least 24 hours in advance, in accordance with the Open Meetings Act (KRS 61.800-850).

Members of the public may be allowed to speak at any meeting. The Board may also choose not to allow the speaker or to limit the speaker's time in order to secure the orderly progression of its meeting. Such limitations shall be made by the Board President. Speakers may be required to schedule a time on the agenda prior to a meeting. Generally, speakers will be limited to five minutes.

Members of the public may be asked to leave a meeting when the Board goes into Executive Session. Members of the public may also be asked to leave when their behavior is deemed inappropriate or disruptive to the regular conduct of the meeting. The Board will approve any action to remove a member of the public from its meeting.

OPEN RECORDS

Created June 2012

Open Records Requests and Records Retention

Boyd County Public Library is subject to the Kentucky Open Records Act (KRS 61.870-61.884) and certain requirements with regard to records retention.

Retained records

The Library will maintain and retain its records in accordance with applicable laws and regulations. Unless otherwise provided by law, records may be retained or discarded according to the Records Retention Schedules as adopted by the State Archives and Records Commission.

Public records

Not all records of Boyd County Public Library will necessarily be “public records” under the Open Records Act, and even some public records are exempt from operation of the Act. “Public record” generally means all books, papers, maps, photographs, cards, tapes, discs, diskettes, records, or other documentary materials prepared, owned, used, in the possession of, or retained by the Library. It does not include any records owned by a private person or corporation that are in the possession of the Library or one of its employees.

Requests for records

The Library Director (or designee) acts as Custodian for all of the Library’s public records. Any person may request to inspect or receive copies of the Library’s non-exempt public records. [See Appendix B: Sample Open Records Request for a template.]

All requests to view or copy the Library’s public records pursuant to the Kentucky Open Records Act must be made in writing and must contain the requester’s name and signature. Requesters may use the Request to Inspect Public Records form, but are not required to do so. All Open Records Requests must be submitted via:

- U.S. Mail
- Facsimile transmission, or,
- Hand delivery

Emailed Open Records Requests will not be honored.

Open Records Requests should be directed to the attention of the Library’s Records Custodian. If a requester is requesting to be provided with copies of non-exempt public records, they must provide a sufficiently precise description of the documents they are seeking so as to allow the Records Custodian to readily identify them.

Response

Boyd County Public Library has three business days in which to respond to an Open Records Request. This time begins to run the next business day after the request is received.

The response to an Open Record Request may:

- (1) Grant the request;
 - (2) Deny the request;
 - (3) Explain that there will be a delay in responding to the request;
 - (4) or any combination thereof.
- To the extent a request is granted, the response will provide a timeframe when the requested non-exempt public documents may be inspected in person, or will inform the requester of the applicable copying charge and postage fee required to be paid before copies of the non-exempt public documents may be provided.
 - To the extent a request is denied, the response will provide the legal cause for the denial. To the extent the full response to a request is delayed, the initial response will give a detailed explanation of the cause for any delay and an estimate of when a complete response may be expected.

Copies

To the extent a request is granted, copies of the responsive non-exempt public records requested may be provided at a cost of \$0.10 per page, along with any applicable postage costs, all of which must be pre-paid by the requester.

Requests for specialized or non-standard copies (e.g. color or oversized copies) will be provided at the cost incurred by the Library to produce them.

The Library may also recover costs associated with staff time expended in responding to a request made for a commercial purpose. Non-public or exempt information may be redacted as appropriate from copies of otherwise non-exempt public records provided.

On site examination of records

To the extent a request is granted, individuals requesting to review records will be allowed to schedule a time to conduct on-site inspection of non-exempt public records during the regular business hours the administration office of Boyd County Public Library.

An on-site inspection may be required by the Library if the request is not precise in nature or if the requester resides or maintains his or her principle place of business within Boyd County.

Public records must be inspected in the location set by the Library. During their inspection, a requester may copy non-exempt public records (at their own cost), but may not remove, alter or add to documents provided for review.

The Library is responsible for protecting the security of public records in its custody, and may require that a staff member be present during any inspection or copying of its public records.

Denial of request

Certain public records are exempt from inspection under the Open Records Act.

- Circulation and Library use records for individual patrons are exempt from inspection, and requests to inspect or receive copies of these records will be denied;
- As will a request to inspect or receive copies of any other records which either are not public or which are exempt under the Act.
- Under certain circumstances, the Library may find that a request would create an unreasonable burden to comply with, and may deny such a request for that reason.
- Requests that the Library believes are intended to disrupt its essential functions will also be denied. Reasons that a request may be deemed unduly burdensome for compliance, or which may be disruptive to the Library may include time and expense involved in retrieving and duplicating the records, or in the type and nature of the request.

To the extent a request is denied, the Library will provide the legal basis for the denial to the requester.

Additional Information

Your Duty Under the Law, published by the Office of the Attorney General, and other information regarding Open Records Requests may be found online at: ag.ky.gov/civil/orom.

Rules

See Appendix C: Sample Rules Governing Access to Agency Records for a sample template that has been developed to assist agencies in discharging their duties under the Open Records Act.

APPENDIX A: SAMPLE CONTRACT FOR DIRECTOR

Created September 2011

This contract is given as a sample only. The contractual agreement between the Board and the current Library Director may vary from this sample.

The Board of Trustees of the Boyd County Public Library District, Inc., hereinafter referred to as Board, hereby employs _____, hereinafter referred to as Employee, as Library Director to serve and perform such duties from ____ to _____.

WITNESSETH

In consideration of the employment of the Employee by the Board, and in further consideration of the terms and covenants contained herein, the Board and the Employee agree as follows:

1. That during the first year of the term of this Contract, Employee shall receive as salary from the Board the sum of \$ _____ payable in installments of every two weeks. During the second and third year of this Contract, Employee's salary shall be increased by ____ % each year. (NOTE: The Board may choose to allow a varying annual rate of increase in salary based on performance.)
2. That in consideration of the salary paid to the Employee, the Employee shall serve as Library Director of the Boyd County Public Library District, performing such duties as the Board shall designate from time to time, together with all duties as are usually considered to be within the scope of the position of Library Director pursuant to the job description contained in the personnel records. Such duties shall be performed faithfully, to the best of the ability of the Employee, and in a manner satisfactory to the Board.
3. That Employee shall receive the following benefits:
 - a. _____ hours per calendar month shall accrue as personal leave, to be taken at times approved by the Board.
 - b. Annual membership fees for the American Library Association and the Kentucky Library Association shall be paid by the Board.
 - c. Employee shall receive all other benefits afforded to all other employees of the Boyd County Public Library and as provided in the Personnel Policies.
4. It is understood and agreed between the Board and Employee that this Employment Contract and the employment as Library Director shall terminate on _____, unless the employment of the Employee is extended in writing by agreement and the Employee prior to _____. In the event that the Board elects not to renew or extend the Contract, then the Board shall provide a sixty (60) day written notice of that intent. The Board may, at any time during the contract period, terminate the employment of this Employee upon the showing of

just cause and upon written notification of such cause. It shall be at the Board's option whether to terminate the Employee immediately or whether to give a thirty (30) day notice to terminate with pay for the thirty (30) day period. In the event of termination of the employment for just cause, Employee, upon written request, shall have a right to a hearing before the Board with all members of the Board present, and at such hearing Employee may present witnesses and other evidence to establish that no just cause is present for the termination of employment. After this hearing, if the Board determines that just cause for the termination of employment has been shown, then Employee's employment with the Board shall be terminated and Employee shall have all rights afforded by law for review of the determination.

- 5. Employee may terminate employment with the Board, but only upon providing written notice to the Board of the intended termination at least sixty (60) days prior to the date of the proposed termination.
- 6. No modification of this Contract shall be made unless in writing and executed by the Employee and by the President of the Board.
- 7. This Contract contains the sole and entire agreement between the Board and the Employee regarding the conditions of employment. The Board and the Employee agree that no other representations have been made by either party in respect to conditions of employment.
- 8. This Contract shall be binding upon this Board and on the subsequent boards during the term of this contract.

IN WITNESSETH WHEREOF, the Board of Trustees of the Boyd County Public Library District and _____ do set their hands in agreement this _____ day of _____, _____

BOARD OF TRUSTEES OF THE BOYD COUNTY PUBLIC LIBRARY DISTRICT

By: _____ (President of the Board) _____ (Employee)

STATE OF KENTUCKY, COUNTY OF BOYD)

Subscribed and sworn to before me, a Notary Public, on this _____ day of _____, _____ by _____, President, for and on behalf of the Board of Trustees of the Boyd County Public Library District, Inc. and by _____.

My commission expires on _____.

(Notary Public)

APPENDIX B: SAMPLE OPEN RECORDS REQUEST

Created June 2012

OPEN RECORDS REQUEST TO INSPECT PUBLIC RECORDS

Date: _____

To the Library Director:

I request to inspect and/or receive copies of the following document(s): _____

(There is a ten cent fee for each photocopy received. If the items are to be mailed, the amount of postage will also be charged. If the records are in a non-written format, the charge will be equal to the actual cost of reproduction.)

Printed Name—Company Name (if applicable):

Street Address City, State, Zip Code

Phone Number -- Fax Number _____

E-mail Address _____

Signature _____

THIS COMPLETED FORM SHOULD BE SUBMITTED TO THE LIBRARY DIRECTOR.

For Library use:

The request is granted.

Total amount charged to applicant to fulfill request: \$ _____

The request is denied based on the following exemption: _____

[END]

APPENDIX C: SAMPLE RULES GOVERNING ACCESS TO AGENCY RECORDS

Created June 2012

NOTICE

ADMINISTRATIVE REGULATIONS GOVERNING INSPECTION OF THE PUBLIC RECORDS OF THE

_____ {Name of Library} _____

_____ {Library Address} _____

Pursuant to KRS 61.870 to 61.884, the public is notified that, as provided herein, the public records of the above named Agency of the Commonwealth of Kentucky are open for inspection by any person on written application to _____ (name), _____ (title), official custodian of the public records of the _____ (Library) whose address is _____ during regular business hours. Application forms for the inspection of the public records of this agency will be furnished upon request to any person by an employee in this office. Assistance in completing the application form will be provided by an employee on request.

Applicants for the inspection of public records shall be advised of the availability of the records requested for inspection, and shall be notified in writing not later than three (3) working days after receipt of an application for inspection, of any reason the records requested are not available for public inspection.

Copies of written material in the public records of this agency shall be furnished to any person requesting them on payment of a fee of ten (10) cents a page; copies of nonwritten records (photographs, maps, material stored in computer files or libraries, etc.) shall be furnished on request, on payment of a charge equal to the actual cost of producing copies of such records by the most economic process not likely to damage or alter the record.

This the _____ day of _____, 20__.

(Library Board President)

[END]

APPENDIX D: TIMELINE OF BOARD ACTIVITIES

Created September 2011

This timeline represents a general outline of the annual activities of the Board and may be modified as necessary to serve the needs of the Board and the Library.

Calendar Year January through December
Fiscal Year July through June
Board Term Year September through August

January

- Meet at Kyova Branch
- Quarterly update of Long Range Plan
- Review Long Range Plan priorities for upcoming year

February

- Review of Personnel Policies
- Preliminary Capital Outlay and Personnel Budget submitted for review

March

- Appoint Board Member Selection Committee [if needed]
- Advertise open Board positions
- Preliminary Budget submitted for review

April

- Meet at Catlettsburg Branch
- Quarterly update of Long Range Plan
- Review of Library Policies
- Second draft of budget presented for review

May

- Appoint a Nominating Committee (as needed)
- Approve the Library's annual budget
- Interview and selection candidates

June

- Begin consideration of Library's tax rates
- New Board members proposed to state library and County Judge Executive
- Review of Emergency Procedures
- Library Summer Family Event
- Fiscal year ends

July

- Meet at Kyova Branch
- Quarterly update of Long Range Plan
- Fiscal year begins
- Address Library's tax rates (if available)
- The annual audit of the Library's financial statement begins
- Fiscal Court appoints incoming Board members

August

- Nominating Committee presents slate of Board officer nominations (as needed)
- Annual review of Director
- Incoming Board members are sworn in
- Last meeting for retiring trustees
- New board member orientation

September

- Welcome new Board members
- Election of Board officers
- Review meeting day and time

October

- Meet at Catlettsburg Branch
- Quarterly update of Long Range Plan
- Review of Library's annual audit
- Review of Board By-laws and Policies

November

- Review of Financial Policies
- Board Self-Evaluation
- Board photograph
- Review of Collection Development Policies

December

- Review of the Investment Policies
- Library Holiday Party

The Director's evaluation should begin three months prior to his/her anniversary date.

The process includes:

- *Three months prior:* The Board agrees on a format for the evaluation and the evaluation form is presented to all Board members.
- *Two months prior:* The Board schedules meeting in executive session to discuss the evaluation.
- *One month prior:* The evaluation is discussed with the Director and the President of the Board. If the Director's contract needs to be renegotiated, the renegotiation would take place at this time.

APPENDIX F: OATH OF OFFICE

Created September 2011

All new trustees will be asked to take an Oath of Office. The oath is administered by the County Judge-Executive. (The administration of the oath is an excellent publicity opportunity for the Judge and the Library.)

The text of the oath:

I, _____, do hereby solemnly swear that I will support the Constitution of the Commonwealth of Kentucky, and to the best of my ability I will perform the duties and accept the responsibilities of Trustee of the Boyd County Public Library District and that I will observe all the laws relating to said office of Trustee now in force or which may hereafter be enacted during my term of service.

Signed _____
Trustee

Subscribed to and sworn to before me this _____ day of _____, 20__

Signed _____
President

Signed _____
Judge or Certifying Officer