Kentucky Public Library
Trustee Manual

Kentucky Department for Libraries and Archives

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Kentucky Public Library Trustee Manual

Kentucky Department for Libraries and Archives

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This manual is for informational use only.

Thanks to everyone who helped with this edition and the previous editions. Previous committee members are listed below. Their efforts set the foundation for this manual.

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Dear Public Library Trustee:

Providing public library service in today's information age is very challenging. Leadership by public library trustees is essential if public libraries are to provide high quality service for their communities. Great public libraries require dedicated trustees.

The purpose of this manual is to provide information and resources that will make your work as a trustee more successful and more rewarding. Just as the role of the library in your community is constantly changing to meet the needs of residents, this manual is designed so that changes can be easily made to better meet the needs of trustees. Your suggestions for additions and recommendations for changes will be welcomed.

Your willingness to undertake oversight of your public library is much appreciated. Trustees have the opportunity to impact their community through education for residents of all ages. We hope this manual provides tools to assist in your work. Congratulations on your appointment to your library's board of trustees and best wishes for continued success in your important work.

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Chapter 1 KDLA Welcomes You

KDLA Welcomes You as a New Public Library Trustee!

The Kentucky Department for Libraries and Archives (KDLA) is the state government agency with a mission to support and promote access to library services and to ensure that documentation of government activities is created, preserved, and made available for public use.

KDLA divides the state into five administrative regions. Each region is comprised of 24 libraries and is served by KDLA Library Development Branch staff.

The most frequent point of contact at KDLA for public libraries is the Regional Library Consultant. Your Regional Library Consultant is a librarian tasked with providing guidance and support as you navigate the exciting, challenging world of contemporary libraries. All of the KDLA team is committed to helping your board, library director, and staff in creating a library that plays a valuable and indispensable role in improving the quality of life in your community. Your Regional Library Consultant and your library's region can be found on the Library Development Branch Staff page.

Ten Things Every New Trustee Needs to Know

NOTE: Throughout this manual, you will find references to the Kentucky Revised Statutes (KRS). The statute under which the library district was formed determines which section of KRS 173 cited applies to the operation of your library. See county list by founding statute in the Appendix for the statute used to create your library.

1. A trustee term is four years, unless fulfilling an unexpired term. KRS 173.340; 173.490; 173.730
2. More than three absences from regular monthly board meetings during any 12-month period of a trustee's term results in an automatic resignation. KRS 173.340; 173.490; 173.730
3. A quorum, or majority, of trustees needs to be present to take an action (for most libraries this is 3 of the 5 trustees). KRS 173.060; 173.500; 173.735
4. No authority rests in the individual trustee, only in the board taking action as a quorum.
5. Boards must meet once each month at a regularly scheduled time. KRS 173.060; 173.350; 173.500; 173.735
6. Board meetings are subject to the Kentucky Open Meetings Act; therefore, they must be open to the public and must be held in a public place. KRS 61.800-61.850
7. The library board's minutes, budget, annual report, and many other documents are subject to the Kentucky Open Records Act. KRS 61.870-61.884
8. Be familiar with the library's long range or strategic plan, policies, and procedures.
9. Review the contents of the board packet sent out in advance of the monthly board meeting and ask questions if you have them.
10. Be an advocate for the library in your community and with local and state officials.

Getting Started

The library director can provide the following information to help familiarize you with your new position as a library trustee:

- A tour and brief history of the library and introduction to library staff.
- General library information including hours of operation, library calendar and brochures, an overview of programs, services, and facilities.
- The date and time of board meetings, length of your appointment, board bylaws and policies, a list of the board members (including their position, term of office, and contact information).
- A copy of the most recent annual report, audit, current budget, and strategic plan.
- The last six months of board packets which include the minutes, financial statements, and other documents.
- A copy of library personnel policies and operation policies.

Where to Find Additional Information

KDLA Website

KDLA Regional Map

What to Expect from KDLA's Regional Library Consultants

Trustee Oath of Office

The Kentucky Open Records & Open Meetings Acts: A guide for the public and public agencies
Receipt of this document is required within 60 days of your appointment.

Managing Government Records: A Cooperative Undertaking
Receipt of this document is required within 60 days of your appointment.

Certificate of Receipt or Distribution: This form, found on the last page of the Kentucky Open Records & Open Meetings Acts Guide, is signed and retained on library premises**.** A copy should also be provided to the county judge/executive to submit to the Office of the Attorney General.

Kentucky Public Library Standards

Example Library Policies

Auditor of Public Accounts Recommendations for Public and Nonprofit Boards

Kentucky Public Library Statistics

National Public Library Statistics
NOTE: Your director can provide the username and password to access this data.

Stay Updated – E-Resources

Trustee Listserv®: An e-mail discussion list to ask other trustees questions and to provide and receive notices on important information. To join the list, provide your e-mail address to your Regional Library Consultant who will get you enrolled. You will receive instructions for posting messages to this moderated discussion list.

KPLA Listserv®: An e-mail list for anyone interested in public libraries.
To subscribe to the KPLA Listserv®, send an e-mail message to listserv@lsv.uky.edu with the following message: sub KPLA-LIST Your Name (example: sub KPLA-LIST Mary Smith).

Kentucky Public Library News Digest

Organizations of Interest

Kentucky Library Association (KLA)
Provides leadership and initiatives for continuing improvement of all types of libraries. Holds a fall conference with a focus on general library issues.

Kentucky Public Library Association (KPLA)
Provides leadership and initiatives for KY's public libraries. Holds a spring conference with a focus on public library issues.

American Library Association (ALA)
The oldest and largest national library association in the world, ALA provides leadership for the development, promotion, and improvement of library services to ensure access to information for all.

Association for Rural and Small Libraries
This association's mission is to build strong communities through advocacy, professional development, and elevating the impact of rural and small libraries.

United for Libraries
This association of library trustees, advocates, friends and foundations provides support for citizens who govern, promote, advocate, and fundraise for all types of libraries.

Primary Roles of a Public Library Trustee

"Government is a trust, and the officers of government are trustees; and both the trust and trustees are created for the benefit of the people." Henry Clay (1829)

1. **Hire and evaluate the library director.** One of the most important decisions that a board will make is in hiring a qualified and effective director. This selection will have a major impact on the future success of the library. The board, speaking as one voice, partners with the director by providing direction through the goals set in the library's

strategic plan; by delegating all day-to-day management responsibility, including supervision of all other library staff, to the director; and by monitoring the director's achievement in providing library services to the community. The board evaluates the director's performance on a regular basis—usually annually. This is an opportunity to reflect on the previous year's progress and to plan for the upcoming year. Regular evaluation ensures that the director and board are in agreement on the progress made in providing the excellent library services that every community deserves.

2. **Monitor and evaluate the overall effectiveness of the library.** Boards are entrusted with the responsibility to make sure the library is operating efficiently and effectively. Major areas that the board monitors include the handling of the finances, the director's accomplishments, and the progress on the strategic plan. Careful examination of the financial reports, vouchers, and the library's statistics are important tools for monitoring the wise use of resources. In addition, the Annual Report of Public Libraries and the Kentucky Public Library Standards can also be used in measuring the success of library services. The board should also adopt a tool to monitor its own performance on an annual basis.
3. **Plan for the future of the library.** The library board is ultimately responsible for ensuring that the library provides the best possible service to its community. A strategic plan prepares for the library's future. It provides a tool for accountability to the community and makes the job of the board, director, and library staff easier by pulling together all the decisions about budgeting, personnel, capital improvements, and library services in response to the community's needs. The plan's specific goals and objectives describe how the library will focus its resources and which programs and services the library will provide, giving the board, director, staff, and public a tool for measuring the library's successes.
4. **Set library policies.** The library board spends much of its time on developing policies that reflect the library's philosophy of service. Well-defined and well-written policies guide the trustees and staff in carrying out their duties. Policies ensure conformity to federal, state, and local laws. They allow high quality service and fair treatment of all patrons and staff. Once adopted by the board, library employees carry out the policies on a day-to-day basis. Policies should be reviewed every one to three years to ensure proper oversight and responsiveness to a continually changing environment.
5. **Advocate for the library.** To be a library advocate is to work for the betterment of library services for the community. Advocacy includes working to obtain adequate funding for the library by telling the library's story to taxpayers, donors, and elected officials. As a library advocate, you may pursue opportunities to speak with community groups where you can talk about the library. Some carefully chosen statistics and having some example stories of how people are using and benefiting from the library can make a persuasive impression when speaking to civic groups, legislators, or even your friends and neighbors. Because trustees are citizen volunteers with no direct financial stake in library funding issues, they are in a unique position to be effective in the governmental arena by keeping the library's financial needs in front of elected officials. Boards and trustees can do that by writing, calling, and visiting their elected officials frequently.

Expanded and adapted from: *The Library Trustee: A Practical Guidebook*, edited by Virginia G. Young, American Library Association, Chicago, 1995.

Division of Duties

Responsibilities	Board	Director
Daily Operations	None	Responsible for the daily operation of the library.
Library Personnel	Hire, monitor, and annually evaluate library director.	Hire, monitor and evaluate library staff.
Fiscal Operations	Evaluate and approve a budget that supports library goals. Monitor income and expenditures.	Determine financial needs of library. Expend money accordingly.
Policies	Regularly review and adopt policies.	Implement policies. Recommend new and revised policies.
Strategic Planning	Adopt a Strategic Plan. Monitor annually for progress.	Coordinate planning activities and draft a Strategic Plan.
Advocacy	Participate in organized events to promote support for library funding and issues. Regularly contact community leaders and officials to raise awareness of library impact and needs.	Advise board of library advocacy initiatives and provide statistics and stories for Trustees to use. Participate in organized advocacy events.
Continuing Education	Attend forums or educational activities on library issues to obtain and maintain certification.	Advise board of CE opportunities. Manage library staff certification activities.

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Chapter 2 General Duties of Trustees

Overview

Library boards have been created by law to act as the governing body of the library.

Members of the library board are called library trustees and are public officials with powers delegated to them as a public trust. Duties and responsibilities include fulfilling legal responsibilities established by statute as well as establishing policies governing the day-to-day operation of the library. Although the board and director must work closely together in developing a library program, their obligations and responsibilities are entirely different. KDLA provides a Directors' Toolkit with more information and resources for directors.

Library Board/Director Relationship

Library boards and directors are all interested in ensuring the success of the library and it is the job of both parties to see that the library is run properly and serves its community effectively. The board sets policy and the director carries out the board's vision on a day-to-day basis using the policies as a guide. It is important for the board to avoid direct involvement in the daily operation of the library. The chart in the previous chapter showed the roles of the board compared to those of the director. Here are more examples of the differences in the roles of the board and the director.

Responsibilities of the Library Board

- Assumes legal responsibility for the library.
- Provides direction and supervision for the director.
- Monitors the administration of the library for effective use of personnel and materials, quality of programs, and maintenance of buildings and grounds.
- Approves library policies, library budget, and strategic plan.
- Encourages the director to apply for grant funds and approves grant applications when required.
- Explores all possible innovative methods for delivery of library services and programs, including electronic resources.
- Monitors usage of library materials and services.
- Acts as an advocate for the library.
- Promotes and supports outreach services.
- Familiarizes self with the services provided by KDLA.

Responsibilities of the Director

- Organizes and administers the daily operation of the library.
- Prepares library policies, a budget and coordinates strategic planning for board approval.
- Keeps the board informed about current trends in service and explores ways of implementing new services.

- Supervises the activities of all library personnel including staff training and development.
- Markets outreach services to appropriate clientele in the service area.
- Prepares or approves written grant applications to improve the quality of materials, services, and facilities.
- Provides statistical reports on usage of library materials, services, and facilities.
- Assesses the library based on the Kentucky Public Library Standards.
- Submits required reports to KDLA and other governmental units.
- Uses the services and programs offered by KDLA.

Library Law

Public libraries in Kentucky have been established using various statutes. The majority of these libraries are Special Purpose Governmental Entities (SPGEs) and are governed by a board of five trustees. The trustee is legally appointed, with powers and duties set out in the Kentucky Revised Statutes, Chapter 173. All authority for operation of the library resides in the board taking action as a quorum in a public meeting. No authority resides in the individual trustee.

When reading any of the information regarding the governance of Kentucky public libraries, it is important to know under which statute your library was formed as this determines which statutes apply to your library. A listing of counties by formation statute can be found in the Appendix of this manual. For libraries established by a statute other than the methods in Chapter 173, the ordinance or resolution establishing the district should specify the section – KRS 173.300-.410, KRS 173.450-.650, KRS 173.710-.800 – under which they will operate. This information should be available in the fiscal court minutes or records. If you need help in understanding which statutes apply to your library, please contact your KDLA Regional Library Consultant for assistance.

Public libraries in Kentucky are governed by many other statutes in addition to those found in Chapter 173. A trustee cannot be expected to be well-versed in the specifics of all laws and cases that apply to public libraries in Kentucky, but it is important to take the time to become generally aware of library law to make sure that the library is in compliance. As the laws are complex and legal compliance is so important, the board should consult an attorney to provide legal advice when necessary.

Oath of Office

Each trustee must take an oath of office before assuming their position on the board, and it must be given within 30 days of their appointment or reappointment. KRS 62.010(1) and (3)

The official oath for trustees may be administered by:

- Any state or federal judge, Kentucky jurisdiction;
- Any member of the Kentucky General Assembly; or
- Any county judge/executive, notary public, clerk of a court, or others as set forth in KRS 62.020(1) and (2).

The Oath of Office is also in the Appendix. A signed copy of the Oath of Office needs to be kept at the library and on file at the County Clerk's Office. KRS 62.020(2)(d)

Duties of a Trustee

When a person becomes a trustee, they must assume these general duties and responsibilities:

- Attend all board meetings, participate in discussions, and support board decisions.
- Advocate for the library in the community and advocate for the community as a member of the library board.
- Secure adequate funds for the library.
- Hire a qualified and competent library director and delegate all management responsibilities to them.
- Support the library director but also demand accountability for a high-quality library.
- Plan for the future with a written strategic plan and annual action plans derived from the strategic plan.
- Monitor and evaluate the finances, the director's performance, the library's progress toward its goals, and the board's performance.
- Adopt policies for the library.
- Comply with federal, state, and local laws and regulations that pertain to public libraries.

Remember, all authority for operation of the library resides in the board as a whole. No authority resides in the individual trustee. Individual trustees do not have power or authority to obligate the library or to speak for the board, unless so authorized in the bylaws or on a case-by-case basis by vote of the board.

Liabilities

Many library boards choose to purchase professional liability insurance such as directors and officers insurance. The board should consult with their attorney for questions about trustee liability and their insurance company for questions about professional liability insurance.

Terms

Except for the initial establishment or filling unexpired terms, trustees may serve for two consecutive terms (four years each) after which they shall not succeed themselves for at least one year. KRS 173.340; 173.490; 173.730 A term year is the 12-month period from which the trustee's appointment began; it is not necessarily a fiscal year or a calendar year.

Compensation

Library trustees shall not receive compensation for their services but may be reimbursed for their actual expenses necessarily incurred in the performance of their duties. KRS 173.340; 173.510; 173.740.

Officers and Their Duties

The library board of Cities of Home Rule Class, Counties, and Regions is directed by the Kentucky Revised Statutes to establish and adopt bylaws "for their own guidance." KRS173.350(2). All other boards may establish and adopt bylaws. 173.520(2)(c); 173.745(2)(c).

The bylaws adopted by the board should stipulate the board officers, their duties, responsibilities, and authority. The procedure for nomination and election of officers as well as the procedures for filling officer vacancies should also be included in the bylaws. The bylaws should contain other written rules that define how the board will conduct business and manage its internal affairs.

While most of the specific duties of the board officers are determined by the bylaws and local policy, there are several legal requirements provided for in statute.

Officers of the board are identified in KRS 173.350(1); 173.500; 173.735. The election of officers is handled according to the bylaws adopted by the board.

Although not stated in library statute, Opinion of the Attorney General 67-458 states that it may be unconstitutional for a trustee to hold two offices simultaneously. Having each of the board offices filled by a different person provides a clear segregation of duties and a better system of internal controls. The board should consult an attorney if it has questions about electing officers.

President

The president presides, guides, and ensures coverage of all topics during a meeting. The president should strive to facilitate quick coverage of routine business and dispose of minor items as quickly as possible to leave time for discussion of important matters.

The president does not have the authority to act independently for the board unless the bylaws grant such specific authority. They may also be authorized by the board, voting in a quorum, to act on their behalf on a specific issue.

Other duties may include:

- Prepares, with the director, the agenda for the board meetings;
- Starts meetings promptly at the appointed time;
- Signs approved payment voucher at each meeting, authorizing payment of bills as stated in 173.540(1); 173.755(1);
- Signs official board correspondence;
- Establishes committees as necessary and appoints all committee members;
- Signs all grant applications as required and with approval of board;
- Signs approved contracts with approval of the board;
- May authorize special meetings.

Vice-President

The vice-president is an office determined by the board's bylaws. If the bylaws include a vice-president, their duties will be governed by the bylaws.

Secretary

The secretary is responsible for recording the proceedings of each meeting (minutes), though the actual task may be delegated.

It is best to distribute the minutes as soon as possible after the meeting so they can be read while the events of the meeting are still fresh in the memory of the participants. The minutes are reviewed at the next meeting, corrected if necessary, and approved (this should be noted in the current meeting's minutes). An example of minutes appears in the Appendix.

The approved minutes are the official record of board action. The minutes should be kept in a secure place known to all members of the board and should be readily accessible. Only information recorded in the minutes can be considered official.

At a minimum, meeting minutes should include:

- The nature of the meeting, whether regular or special;
- The time, date, and place of the meeting;
- The names of those in attendance, noting trustees who are absent, the time of late arrival or early departure of trustees in order to show the existence of a quorum whenever any action is taken;
- Approval of the previous meeting's minutes and the current financial report;
- A complete record of official actions taken by the board and the vote of the trustees present;
- The record of all motions exactly as stated;
- The record of adjournment (no official business is to be transacted following adjournment or at any time when less than a quorum is present);

Other duties include:

- Signs the payment vouchers, along with the president, pursuant to KRS 173 540(1), 173.510; 173.740, 173.755(1).
- Notifies, in writing and by certified or registered mail, any trustee that has missed three regular monthly meetings in any 12-month period of their term, and is copied to the president. This will serve as a reminder that absence of a trustee from four regular monthly meetings of the board during any 12-month period of the trustee's term shall constitute resignation. KRS 173.340; 173.490; 173.730
    - The first absence of a trustee from a regular monthly meeting is the beginning of the 12-month period. For example, if a trustee misses a regular monthly meeting

in September, they would not be able to miss more than two additional regular monthly meetings until after the following September.

- All official correspondence of the board should be written on library letterhead and signed by the president or secretary.

Treasurer

In general, the treasurer has custody of all money, securities, and obligations belonging to the district, and shall disburse money only for the uses and purposes of the district and in the manner prescribed by the bylaws on itemized vouchers allowed by the board, signed by the secretary and countersigned by the president.

The treasurer must:

- Keep a full and accurate account of all receipts and payments as directed by the bylaws or as the board prescribes;
- Render statements of library accounts whenever required by the board;
- Have all accounts and records for the fiscal year balanced and closed (this must be presented to the board within 90 days following the close of that fiscal year);
- Be bonded in an amount determined by the board.

The treasurer is responsible for all fiscal records and controls. The treasurer is the only officer required to be bonded as stated in KRS 173.360(2); 173.540(5); 173.755(5).
The treasurer is responsible for reporting on the state of the finances at the monthly meetings. Library checks should require two signatures, one of which must be a trustee, preferably the treasurer. Signature cards at all banks should be kept current, with careful attention to removing names once an individual leaves the library board. The treasurer signs checks for disbursements from the library account, upon receipt of a board-approved, itemized voucher. KRS 173.360(2); 173.540(1); 173.755(1).

It is recommended that the treasurer chair the budget/finance committee. If there is no budget/finance committee, the treasurer may be involved in preparing the annual proposed budget for board consideration.

Advisory Board

An advisory board may be appointed and serve as specified in the bylaws of the board of trustees. KRS 173.340(2); 173.490(1); 173.730(1)

Board Committees

The board may establish committees as necessary following the process outlined in the bylaws. The complex issues on which the library board will be working cannot always be handled efficiently by the full board. Many of those issues may be handed to board committees for study and recommendation to the full board. Each library will have different needs for committees and those needs may vary over time. Some typical committees are building or construction,

personnel, policy, strategic planning, and budget. Such committees may consult with individuals from outside the board so that additional expertise can be utilized.

Whatever the name or type of committee, the only purpose it serves is to expedite the work of the board. Committees are not autonomous groups with loose connections to the board, but are simply extensions of the board and always responsible to the full board. Committees have no power or authority beyond what is granted to them by the full board. The only action a committee can take is to study an issue and make recommendations to the full board about the assigned issues.

The Open Meetings Act applies to all meetings of any committees, subcommittees, advisory committees, or ad hoc committees, which are established, created, and controlled by a public agency. Minutes and records created by the committee are subject to the Open Records Act. A quorum of committee members is calculated on the basis of the committee's membership and not the membership of the public agency that created it. Any committee meeting where a quorum of the board is present is a special board meeting.

Nepotism and Conflict of Interest

No board shall newly employ as a member of its library staff any member of the board or any person related closer than a second cousin to any member of the board. KRS 173.340; 173.510; 173.740.

No person is eligible to serve as a trustee if they are directly or indirectly interested in the sale to the library of books, magazines, supplies, equipment, materials, insurance, or services for which library funds are expended. KRS 173.340; 173.510; 173.740.

Identifying a conflict of interest through the sale of books, land, or equipment may be simple to determine. Trustees gaining financially through services offered can be more subtle or complex, but nevertheless equally critical to avoid. Examples of "services" are legal counsel, insurance, banking, and accounting assistance.

No trustee shall, at the same time, hold two appointed offices of special purpose governmental entities that each have the authority to levy taxes. KRS 61.080 (5).

No trustee shall, at the same time, fill any state office and an appointed office of a special purpose governmental entity that has the authority to levy taxes, unless a state statute specifically requires a person holding a state office to serve in an appointed office of a special purpose governmental entity that has the authority to levy taxes. KRS 61.080 (6)

The library board and staff are subject to the ethics policy of the establishing entity, usually the county or city, as required by KRS 65A.070 and may be required by law to have more stringent provisions regarding conflict of interest and/or nepotism than those in the establishing entity's

code of ethics. Adopting a code of ethics can help to avoid potentially damaging situations for the library. KDLA offers an example ethics policy.

Open Records Act

The Kentucky Open Records Act (Act) (KRS 61.870 - KRS 61.884) gives residents of the Commonwealth of Kentucky access to the library's and the board's non-exempt open records. All records prepared, owned, used, possessed, or retained by a public agency, whether stored in physical or digital format are "public records." With a few exceptions, these public records are considered "open records" and must be made available for inspection upon written request. Libraries are not required to honor requests for "information;" rather, the request should identify the specific records sought. The Act applies to records created by the library and the library board.

KDLA publishes Managing Government Records: A Cooperative Undertaking as required by KRS 171.223. It is an introduction to Kentucky's public records management law and covers what public records are, records retention schedules, responsibilities of a records officer and more.
Public libraries follow the General Schedule for Local Government and the Public Library and Library Board schedule found on the KDLA website. Regional Administrators in KDLA's Local Records Branch are available to provide records management assistance to public libraries.

Open records and open meetings laws are covered more completely in *The Kentucky Open Records & Open Meetings Acts: A guide for the public and public agencies* available on the website of the Kentucky Attorney General. Newly appointed trustees are required to be given copies of this document within 60 days of appointment and sign a Certificate of Receipt form that is then filed in the library and with the county judge/executive's office to be submitted to the Office of the Attorney General. (KRS 65.055)

The library and board should seek legal guidance when questions about open records requests arise.

Additional Resources:

Certificate of Receipt or Distribution
Found on the last page of The Kentucky Open Records & Open Meetings Acts: A guide for the public & public agencies.

Attorney General's Standardized Open Records Request Form
This form must be accepted for any open records request, but a library cannot require the use of this or any other form.

Hiring a Library Director

Selecting the library director is one of the most important tasks any library board will undertake. The director the board chooses will set the course for the library's current and future place in the

community and be a key determinant in public goodwill. This will, in turn, contribute to the funding necessary for the library to grow and prosper.

The scope of such an undertaking is too great to cover in a manual designed for general trustee orientation and instruction, but your KDLA Regional Library Consultant can provide assistance. There are many legal issues to consider during the hiring process. The board should take the time to enlist whatever assistance is needed, including legal guidance when necessary, in making this most important decision.

Here are the basic steps:

- Contact the KDLA Regional Library Consultant that serves the library for advice and assistance.
- Find out the minimum certification level set by the state for a director at a library with the population level of the county.
- Determine the specific competencies needed in the new director. This should be discussed by the entire board and a consensus reached on which are the most important ones. Again, the Regional Library Consultant can help the board with this.
- Write or update the job description.
- Determine whether a professional firm will be used to assist with the search.
- Construct the job ad and post it on KDLA's free Kentucky Library Job List as well as other national library job banks. Allow the ad to be active for about 6 weeks.
- Determine the interview questions. It is of utmost importance that the interview committee asks all candidates the same questions and that the committee does not ask any questions that are legally prohibited. The board should seek legal guidance as needed.
- Determine the interview process.
- Call a special board meeting to review the resumes once all have been received.
- Schedule the interviews.
- Take a few minutes after each candidate to discuss the committee's reactions and impressions.
- Determine the answers to these questions: What will be the process after interviews are completed? Who will send rejection letters in a timely manner? Who will make the job offer? Ideally this will be the board president or secretary.
- Make a decision and make an offer to the appropriate candidate.

Evaluating the Library Director

Conducting an evaluation of the library director is essential to the success of the library. After all, how is the director to know if they are doing their job correctly without any feedback? This is not a time to go through a list of mistakes, but a time to look at the achievements of the library, plan for the future, help a director improve job performance, and ultimately improve the library. It is a way the board can provide support, encouragement, and feedback. The evaluation of the library director generally takes place in an open meeting, unless a specific situation meets the

exemption requirements outlined in KRS 61.810(1)(f), such as discipline or dismissal. The board must conduct a closed session in accordance with KRS 61.815 when it undertakes such matters.

Successful evaluations are ones that have been carefully planned and each board will need to determine what evaluation instrument to use. Once determined, the form should be shared with the library director so they will know the criteria for assessment. The director needs to be evaluated based on their job description, progress towards library goals, sound financial practices, and maintaining a good relationship with the board and staff. Trustees are entrusted by local tax-payers to provide the best, highest quality library service. The board functions best when the administration is functioning at its best.

Library Policies

One of the duties of a library board is to adopt library policy. Policies provide the structure for creating decision-making tools that guide the director and staff in the smooth operation of the library. Well-developed policies ensure consistency in dealing with staff and patrons, encourage the best use of library resources, and inform both the public and staff of guidelines which are to be followed in the daily operation of the library.

Library boards approve policies covering many different issues, but they can broadly be grouped into two main categories. The first category includes policies that govern the library, such as operations policies and personnel policies. The second category include policies that relate to the internal operations of the board itself, including board bylaws.

Creating Policy

In most cases, the director recommends policies that need to be adopted by the board. The board discusses the issues, makes changes if needed, and approves the policy. If an issue seems complicated or may have legal ramifications, the board should have an attorney or human resources professional review the proposed policy before adopting it. Once adopted, the director informs the staff and patrons of the new policy and, if necessary, develops procedures to implement the policy. If possible, policies should be reviewed every one to three years to make certain they are still applicable and do not need to be revised.

KDLA has developed a collection of example policies that boards and directors are encouraged to review and adapt to their particular library's situation. This includes examples of 10 essential board policies KDLA encourages every library to have.

The following basic steps provide for careful development and review of library policies:

- Director, with staff (and maybe public) input, develops recommended policies.
- Board discusses, revises (if necessary), and approves policies.
- Director makes sure staff and public are aware of policies.
- Board reviews policies on a regular cycle so all policies are reviewed at least every three years. Perhaps use a rolling calendar to ensure that one or two policies are reviewed per meeting so all of the policies have been reviewed, and revised if necessary in the timeframe desired.

Strategic Planning

A strategic plan is a management tool used to ensure that the director, staff, and board of the library are working toward the same goals. The strategic plan can identify a library's goals for one to five years. A public library should revisit and rethink its strategic plan at least every two years. The strategic plan is an excellent tool to use to judge the performance of the library director during their yearly evaluation.

Developing a strategic plan is a process that will require the involvement of trustees, library staff, and community leaders to ensure that the library is using its resources to provide excellent services to the community. Some library boards choose to hire a professional consultant to guide the library through the process.

Excellence is different for every community and is a moving target. Keeping the library's strategic plan updated will ensure that the staff and board are using library resources to provide what matters most to the citizens of the community.

With the rapid change in technology and the economy, it is important that the library review the strategic plan frequently to ensure that it is continuing to provide services that are relevant and essential. Once the goals are developed, it is helpful to create an annual action plan with measurable activities in order to accomplish the library's goals and move in the direction envisioned in the strategic plan.

Through strategic planning the library board is able to:

- Re-evaluate the mission statement to ensure it represents the organization's goals and objectives.
- Assess and adjust library direction in response to its changing environment.
- Intentionally set goals and develop an approach to achieving those goals.
- Assess library strengths and weaknesses.
- Improve staff morale through clear communications and team efforts to achieve organizational goals.
- Determine how limited resources can be stretched for the maximum benefit of the library.

Recruiting New Trustees

Another of the most important decisions a library board will make is the choice of who will serve on the library board. A well-rounded board working in partnership with the director is essential to the smooth operation of the library and the future of library facilities and services.

Since library trustees by statute may serve for only two consecutive terms of four years each [KRS 173.340(2); 173.490(1); 173.730(1)] and must wait at least one year before being eligible for reappointment, library boards need to have a method for replacing trustees whose terms have

expired or for a member who may resign before his/her term expires. See the Appendix for an outline of the procedures for filling a board vacancy by founding statute.

Having a board policy that outlines the method(s) by which new trustees will be chosen is key to the effective recruitment. The board should set forth its process in its bylaws. The main goal in this process is to ensure a balanced board of diverse members who can successfully work together to provide the community with the highest-quality library facilities and services. A well-rounded board includes not only people from different areas of the county, but also members of different age groups, races, genders, and backgrounds with diverse skills and/or community influence.

There are some steps that can be used to help create a well-rounded board:

- Use an evaluation tool to identify gaps in the board's composition and characteristics to look for in a new trustee.
- Study the strategic plan and the library's Kentucky Public Library Standards rating to assess what skills and areas of expertise might help in reaching future goals.
- Create a trustee job description or brochure outlining the library's mission, goals, trustee duties, and desired characteristics for trustees.
- Have prospective trustees submit a trustee application.
- Begin marketing the open trustee position using a variety of outlets.
- Check your board bylaws and policies and follow the recruiting method as outlined in them.

Whatever method is used to find potential trustees, KDLA strongly encourages the use of a trustee application. See the Appendix for an example application. The board may appoint a committee to review the applications or they may be reviewed by the entire board. An interview may also be part of the recruitment process. This gives the potential trustee an opportunity to learn more about the "job" of the library trustee and also gives the interviewers an opportunity to get to know a little more about them. The interview may include, but is not limited to: general information about the library; discussion of how the board operates and the time required to fulfill the trustee's duties; the challenges and opportunities that the board faces; an explanation of the trustee recruitment and appointment process. All of these procedures should be in the board's bylaws.

Kentucky statute [KRS 65.008(1)] requires that the library board provide notice to the appointing authority of an expiring term at least 60 days in advance of the term expiration. To be prepared to send the required name(s) in advance of the expiration, it is suggested that library boards put new trustee appointments on the meeting agenda at least three months before a term expires. To assist library boards in observing this legal requirement, the Kentucky Department for Libraries and Archives will notify the library director four months in advance of an expiring term.

Building a Good Board

The most essential components of a strong and vital board are the selection of a diverse group of talented people and their thorough training about the library. Trustee training is an ongoing

process, and it only works well if the selection has been done well. It is important to look at the entire community for well-connected, dedicated individuals who are willing to volunteer their time to the library. Diversity is important and this does not mean simply geographic distribution, gender, ethnicity, age, etc. With only a few members, it is vitally important to have a diversity of skills and community representation.

Approaching prospective trustees should be carefully planned. Since the director is the employee of the board, it should be carried out by trustees, acting with the full consent of the board, rather than the director. Be honest with the prospective trustees by explaining the time commitment, the responsibilities, and the appointment process. Some libraries advertise board openings in the library, on the library website or in the local paper, collect submitted trustee applications and then interview the prospective board members to determine the best fit for the board.

To quantify the areas in which the board needs to become more diverse, please refer to the Library Board Profile Worksheet in the Appendix. Trying to maintain a very diverse board with only five members can be difficult, so look at the big picture and plan to have certain strengths during times when they are needed; for example, having a trustee with building experience during a construction project.

Please keep in mind that the removal of a trustee is a difficult process and care must be taken to choose appropriate trustees. A library trustee may be removed by vote of the legislative body of the respective governmental unit by which they were appointed. KRS 173.340(4); 173.490(3); 173.730(3)

KDLA Regional Library Consultants

Your Regional Library Consultant is a librarian who will be serving your need to know more about the details and varied requirements of your duties and will provide support as you navigate the complicated arena of contemporary libraries. There are five regions in KDLA's regional system. Each region is comprised of 24 libraries and is served by KDLA Library Development Branch Consultants and staff. KDLA Regional Library Consultants provide professional guidance to trustees, library directors, and library staff. They may attend public library board meetings, coordinate meetings for library directors and other library staff, and provide other services as needed.

One of the services of the Regional Library Consultant is the KDLA Monthly Report. This report, timely information compiled for directors and library board members, is intended to be incorporated into the library's monthly board packet and serves as the Regional Library Consultant's report to the board when they are not attending the board meeting in person. The last three months of the Monthly Report are available online.

Chapter 2 General Duties of Trustees
KDLA Regional Library Consultant Contact Information and Map

The duties of the Regional Library Consultant are reviewed in What to Expect From KDLA's Regional Library Consultant.

Kentucky Public Library

Trustee Manual

Chapter 3 Effective Board Organization

Library Board Meetings

Library boards are required by law to meet once each month. (KRS 173.060; 173.350(1); 173.500; 173.735) Board meetings are the heart of a trustees' job because all library business must take place during these meetings. The information to follow will provide many details, but in general, trustees will approve the meeting minutes and financial statements, hear reports on various library issues and updates, and handle any business that requires a decision for action to be taken.

While most regular meetings will not take an extended amount of time to handle the library's business, there will be times when there are issues or projects that require extra time to absorb detailed reports and permit thoughtful discussion. Topics that may take more time and discussion may include:

- construction projects
- hiring a new director
- adopting, reviewing, and updating policies
- strategic planning
- trustee training
- advocacy events

For some projects, such as new construction, there may be many special meetings required to handle the numerous decisions that require board approval.

The board meeting is where decisions are made that are central to the smooth and successful operation of the library. Being a trustee is an extremely important job and through the decisions made at board meetings, the library will continue to grow and be an essential community asset now and long into the future.

Building the Agenda

When diligently managed, the agenda is the framework for productive meetings. The president is responsible for the tempo of the meeting, but they work in tandem with the library director for a smoothly run business meeting. While the president is responsible for the pace of following the agenda, both the president and the library director should collaborate on creating it. Asking the other trustees for agenda items is recommended.

The typical agenda covers three types of business: what is required by law; information sharing; and decision making. The order is flexible, however, consider putting the required items first (where members are getting acclimated and latecomers are arriving), the business or decision items in the middle (where attention and productivity are highest), and save the reports or information items for last (where attention starts to fade and early leavers are gone).

Required Agenda Items

Minutes

At each monthly library board meeting, the minutes of the previous meeting are approved and so noted in the current meeting's minutes. It is best if the draft minutes are sent out and read as soon as possible after the previous meeting while memories are fresh. When approved, these minutes are subject to the Open Records Act (KRS 61.870 – 61.884) and their accuracy is extremely important. Once approved, they become the legal record of the library's business regardless of correctness. Minutes must be available to anyone wishing to see them "within a reasonable time" after approval at the next meeting.

A library board is an agency of record, which must act in its corporate capacity and only speaks authoritatively through its minutes (OAG 81-387). This OAG opinion also states that those minutes are an official record of the board's actions once approved. Board minutes are only required to show motions, votes, and actions. To promote brevity, reports of the director, treasurer, Regional Library Consultant, and board committees should not be listed in full. A simple sentence such as, "A report was made by the KDLA Regional Library Consultant," might be all that is needed. As the treasurer's report becomes an official document once it has been approved, specifics from the report may not need to be repeated in the minutes. Listing the trustees in attendance, including when a trustee comes in late and leaves early, should be in the minutes in order to prove the existence of a quorum and a record of who was present for a vote. Listing the director, public officials, KDLA representatives, etc. in attendance might also be helpful.

Financial Reports

The next standard action on most library board meeting agendas is the financial report. What is most critical about this report is that all trustees understand it. Each trustee is responsible for the wise stewardship of the public's money. Kentucky law requires trustees to approve itemized vouchers at each meeting. KRS 173.360; 173.540; 173.755. The libraries established as a taxing district are required to have these vouchers signed by both the president and secretary after approval by the board.

Financial reports that can be used monthly by the board in order to stay abreast of the library's financial status are as follows:

- Vouchers (General Account and Petty Cash Account)
- Financial Statement for current month (Statement of Assets, Liabilities, Revenues and Debts)
- Budget (Monthly and Annual)

Business Items

A helpful agenda will not only list the items, but give some additional information. Either as part of the agenda or on a separate page of notes attached to the agenda, each item needs to be briefly explained. For example, if the agenda item is library security, the agenda might include

information such as what security exists now, why it needs changing (if indeed it does), what options are reasonable to consider, how it would impact the budget, and possibly include price quotes or estimates. Trustees need enough information to make an informed decision.

Reports or Information Items

Reports given to the board are usually information sharing and differ from library to library. The director's report and Regional Library Consultant's report are standard, but key staff, committees of the board, and Friends of the Library representative often give reports to the board in many libraries.

Public Attendance at Meetings

Libraries should adopt a policy regarding public input during a board meeting. Care must be taken to follow the rules of the Open Meetings Act as well as to maintain an orderly, efficient meeting.

The Kentucky Open Records & Open Meetings Acts: A guide for the public and public agencies states, "To the extent possible, meeting room conditions should allow for effective public observation of the meetings. No person attending the meeting can be required to identify himself or herself in order to attend a meeting. The agency cannot place conditions on attendance of the public at a meeting other than the conditions required to maintain order. KRS 61.840. Since the General Assembly has not established procedural rules for the conduct of meetings and citizen participation, each agency must adopt its own rules of procedure, but those rules may not conflict with the Open Meetings Act."

Board Packets

Prior to each monthly board meeting, the library director will send each trustee a copy of the agenda, previous meeting minutes, financial reports to be reviewed, copies of correspondence, and any reports or documents that need to be considered at the upcoming meeting.

These board packets may be sent to the trustees either by mail, e-mail, or may be hand-delivered within at least 3-4 days prior to the scheduled meeting. Each trustee should read the materials and be prepared to discuss the issues or make decisions based on the information included in the board packet.

Open Meetings Act

The Open Meetings Act applies to all meetings held by state and local government agencies. All state or local government agencies are covered by the Act, including committees, advisory committees, and ad hoc committees, which are established, created, and controlled by a public agency. All meetings where business of the library is discussed by the board or any committees or subcommittees of the board shall be open to the public. All meetings must be held at specific times and places which are convenient to the public.

Under the Open Meetings Act there are only two kinds of meetings. Regular meetings are governed by the provisions of KRS 61.820. Public agencies shall make available to the public a schedule of regular meetings held at specified times (Eastern and Central) and places. If the public agency holds a meeting in addition to, outside of, or in place of a regularly scheduled meeting, that meeting is a special meeting and the provisions of KRS 61.823 must be followed. This includes changing the time, date, or location of a regularly scheduled meeting.

E-mail and Meetings

Library board meetings, just like all other government entities, are bound by the Open Meetings Act as described in KRS 61.805 – 61.850. Strictly informational items may be e-mailed between the director and board members, but discussions among board members about library business cannot be done by e-mail or outside of official board meetings. Caution should be taken to avoid use of "reply all" or sending messages to other board members to avoid accidentally discussing library business outside of a public meeting.

All boards of a government entity conduct the public's business every time they discuss any library business. This applies to committees of the board as well as the full board. All e-mails regarding library business are public record and subject to the Open Records Act, found in KRS 61.870 – 61.884.

Using email responsibly can help trustees and staff from inadvertently violating the law or subjecting their personal email accounts to public inspection. The library may want to consider setting up official library email accounts for board members using the library's domain. Conversely, a trustee could consider setting up a separate personal email account just for receiving library information.

Special Meetings

There are instances when the board may need to meet at a time other than the regularly scheduled monthly meeting. This is called a special meeting and is covered in KRS 61.823.

The president or a majority of the members of the library board may call a special meeting, as set forth in the board's bylaws. This can occur for a number of reasons. Some of the most common include: members failing to make a quorum for the regular business meeting, personnel issues, or construction plans.

The board must provide written notice of the special meeting consisting of the date, time (Eastern and Central), and place of the special meeting along with the agenda. Please refer to KRS 61.823 for specific notice and contents of notice requirements. Discussion and actions at the meeting must be limited to the items on the agenda. A special meeting must be called in accordance with the Open Meetings Act. The board should seek legal guidance when questions arise about special meetings.

Specific information is also found in the publication, *The Kentucky Open Records & Open Meetings Acts: A guide for the public and public agencies*, published by the Kentucky Office of the Attorney General. This publication, and the accompanying *Managing Government Records*, published by KDLA, provides information about the Open Records Act.

As appointed officials, trustees are required to receive a copy of these documents within 60 days of appointment to the board and are required to sign a certificate of receipt which is kept on file at the library and given to the county judge/executive's office to submit to the Office of the Attorney General.

Going into Closed Session

Infrequently, it is in the best interest of the library to discuss certain items privately. Library board meetings are subject to Kentucky's Open Meetings Act and are limited as to what may be discussed in closed, also called executive, session under KRS 61.815.

Please refer to the latest version of the Attorney General's *The Kentucky Open Records & Open Meetings Acts: A guide for the public and public agencies* (referred to as "The Guide") for further information. The board should seek legal guidance when questions arise about closed sessions.

See "The Guide" from the Attorney General's Office for a summary of what subjects may be discussed in closed session and notice requirements when going into and out of closed session. No final action may be taken in closed session and no matters may be discussed in the closed session other than those publicly announced prior to convening the closed session (see KRS 61.815(1)(c), (d)). Minutes are not required to be taken during closed session (see The Guide, page 24).

The board should seek legal guidance when questions arise about closed sessions.

Bylaws

Bylaws are the rules written and adopted by the library board to provide the structure for how the board will conduct its business. Bylaws are a framework for board operations. They should be direct and factual. Many are based on legal requirements. The board should seek legal guidance when questions arise about their bylaws.

The bylaws typically include the following:

- General information: name and establishment authority of the organization
- Board information: number of members, appointment procedures, term length, resignation, absences, conflict of interest
- Board officers: offices held, election procedure, duties and responsibilities of each office
- Meetings: meeting frequency, special meeting procedure, meeting notification, order of business, attendance, quorum

- Open Meetings Act
- Finances: fiscal year, bonding of treasurer, audit
- Required reports: distribution method, minutes, financial reports, statistical reports, annual report, standards
- Committees
- Library director: duties and responsibilities
- Parliamentary authority: include which rules of order will be used to govern proceedings and conduct – Robert's, Sturgis', or locally adopted rules of order
- Amendments: process used for amending and/or changing the bylaws

Policies

Policies are the rules and guidelines by which the board has determined the library will operate. There are three categories of policies that a board needs to consider:

- board policies which guide the board in its governance
- library personnel policies
- library operations policies

Board policies are statements to staff, patrons, and the public of board intent and belief. Written policies are needed for several reasons:

- Trustees need to know what's expected of them
- The board needs guidelines to make consistent decisions
- Having policies in place prevents crisis policy-making
- The board policy manual should address your board's organization, responsibilities delegated to the director, the board meeting, library finances, board officers and their duties, committees of the board, and facilities.
- Policies ensure continuity during leadership transitions such as when a new director or trustee joins the library. Some of these are mandated by federal and state laws, but many are left to the discretion of the local board.

Each library board needs to write its own policy manual tailored to its needs, but assistance is available from your KDLA Regional Library Consultant. Setting aside a time at each monthly board meeting to review a few policies is a very good idea. Each new trustee should receive copies of the bylaws and policies when they are appointed.

How to Make a Motion

1. The board member addresses the board president.
2. The president recognizes the member.
3. The member states the motion by stating, "I move that…."
4. Another member seconds the motion by saying, "I second the motion" so that the motion can be considered by the board members.
5. The president states the motion by stating, "It is moved and seconded that …."
6. The president then asks, "Is there any discussion?"

7. The president asks the members whether they want to adopt the motion by saying, “All those in favor say, ‘Aye’.” “All opposed say, ‘No’.”
8. The president announces the result after the board members have voted.
9. The president tells the board members what will happen as a result of the vote.

For example: The library director tells the board members about a new bookmobile program to make e-book readers available to members of the community who find it difficult to get to the library. You think the library foundation and Friends should make a $1000 donation to the public library to support this special bookmobile project, so you address the board president, are recognized, and suggest your idea by making a motion by saying, “I move that we ask the library foundation and Friends to make a $1000 donation to the library to support the bookmobile e-book reader project.” Another member states, “I second the motion.” The president then states, “It has been moved and seconded that we ask the library foundation and Friends to make a $1000 donation to the library to support the bookmobile e-book reader project.” The president then asks “Is there any discussion?” The president asks the members whether they want to adopt the motion by saying, “All those in favor say, ‘Aye’.” “All opposed say, ‘No’.” The president announces the result after the board members have voted. Finally, the president tells the board members what will happen as a result of the vote.

Adapted from: Jennings, C. Alan. *Rules for Dummies, 3rd Edition*. Indiana: Wiley Publishing, 2016.

Kentucky Public Library

Trustee Manual

Chapter 4 Fiscal Issues

Chapter 4 Fiscal Issues

All funds received by the library from any source become public funds. Trustees are charged with ensuring that all funds are budgeted & expended in an effective and transparent manner in compliance with applicable state and federal laws and regulations. Fiscal issues will include approving a budget, setting the tax rate, engaging a CPA for required audits, and providing financial reports as required by law. A good deal of the trustee's time will be spent in monitoring financial reports and endorsing wise usage of library assets. An overview of some of the fiscal issues that trustees will encounter are provided here.

Auditor of Public Accounts Recommendations for Public and Nonprofit Boards

Since 2010, the Auditor of Public Accounts provided 32 recommendations to assist public and nonprofit boards in designing and implementing internal financial controls. These recommendations should assist library boards in providing appropriate financial oversight. The recommendations contain a brief summary of various financial policy areas that board members should consider. After each control area is considered, a policy should be developed to address the specific business model of the organization. Using this document will enable the library board to demonstrate sound fiscal management and ensure successful completion of an audit.

Audits, Attestation Engagements, and Financial Statements

All Special Purpose Government Entities (SPGEs) must prepare an annual financial statement which is to be prepared by a Certified Public Accountant or the Special Purpose Governmental Entity. The location where the adopted budget, financial statements, and most recent audit or attestation engagement reports may be examined by the public must be published in compliance with KRS Chapter 424. [KRS 65A.080(2)]

Audits or attestation engagements must be completed in compliance with KRS 65A.030 and submitted to the Department for Local Government per their guidance.

Non-taxing districts may be audited as part of the larger governing body.

Budget Adoption

Kentucky law requires that every Special Purpose Governmental Entity annually prepare a proposed budget for the expenditure of all funds [KRS 65A.080(1)], including all those from local, state and federal sources. The budget must be based on a fiscal year from July 1 to June 30 (KY Constitution §169), unless otherwise authorized by the Kentucky General Assembly. Districts must adopt a balanced budget, with budgeted expenditures not exceeding budgeted revenues, cash and receipts.

The budget must show all funds, in any account and from any source. This includes all carry-over funds, investments, and capital outlay funds (such as construction). In the interest of transparency all funds should be clearly accounted for by being on the budget document.
The library's budget must be filed with the Department for Local Government (DLG) by June 30 before the beginning of each new fiscal year. No moneys can be expended from any funds or any

sources, except in accordance with the budget which has been filed with the DLG which is available for public inspection. No budget of a district is effective until it is submitted to the Department for Local Government.

If your budget changes during the year the library board is required to amend the budget and to report that amendment on the DLG's online form. Basic accounting practices require that an entity has an appropriately designated budget from which to monitor control of its fiscal operations. Since no funds may be expended which are not incorporated in the budget document even a positive change in funds available would render an amended budget to be appropriate. Any amendments to the budget may be made up to June 30th of the current fiscal year. If an additional expenditure must be made and there exists adequate funding from a previously approved line item which may be dedicated to another line item, a simple transfer of funds would be sufficient. The determination as to when to amend the budget must also take into consideration the type of budget being utilized. A line item budget certainly has more detail than a fund budget, thus the requirements would be relative.

Note that the fiscal court does not have the authority to amend the budget or vote upon it. KRS 67.080(3) states: "The fiscal court shall not exercise executive authority except as specifically assigned by statute."

However, if the budget is not filed with the DLG as required, the failure to submit the required information may result in funds being withheld by any "agency, entity, or branch of state government," and a publication of the non-compliance in the local newspaper. Continued non-compliance may also subject the library to a special audit by the KY Auditor of Public Accounts for which the library would pay. [KRS 65A.040]

Fundraising

The library board may find that local funding and state support are not sufficient to fund all services and programs of the library. The board can examine other fundraising options. Before starting a major fundraising campaign or establishing an endowment fund or foundation, the library board should seek legal guidance to avoid violation of any state or federal laws on soliciting charitable donations.

Many libraries, rather than be directly involved in fundraising events, work with a local Friends of the Library group or library foundation. Such groups, usually with 501(c)(3) status, maintain their own treasury and use their proceeds to fund specific projects at the library.

Grants

KDLA also offers various competitive and/or discretionary grants with funding coming from a variety of sources including the federal government (often through LSTA – the Library Services and Technology Act), and the State Legislature. Each grant opportunity is announced in advance of the respective deadline and libraries are encouraged to apply. While many grants require some

percentage of local match, others do not. Subject emphasis may vary from time to time, while others remain stable. See KDLA's Funding for Libraries page for current grant opportunities.

Investment Policy

All funds the library receives, from any source, are considered "public funds" as soon as the library takes possession. The investment of donations, interest, bequests, etc., must all be handled under the same guidelines that cover the investment of tax revenue.

A library taxing district may only invest funds in areas specifically allowed in KRS 66.480. Each library board needs to have adopted a written investment policy as described in KRS 66.480(3).

Library Districts with Taxing Authority

Local District Tax

In Kentucky, most public libraries are established as taxing districts under sections KRS 173.460; 173.720; 65.180 and receive the majority of their funding from the taxes collected for them by the sheriff. Official forms and information on the rates available to the board are sent each year by KDLA. Once the legal requirements for setting the chosen rate have been met and the form filed with the appropriate office, the tax is authorized for collection. Most taxing districts receive the majority of their anticipated annual tax revenue in one or two large checks; smaller amounts are collected throughout the year. Funds may be invested in compliance with KRS 66.480 and according to the individual library board's investment policy.

Setting the Tax Rate

Library boards with taxing authority set a tax rate annually. Once the Property Valuation Administrator (PVA) assesses the property in the county, it is sent to the Kentucky Department of Revenue (DOR). If the valuation is approved, DOR certifies the valuation. Certification generally occurs in July and August of each year.

The certified valuation is sent to the Department for Local Government (DLG) and, upon KDLA's request, DLG computes the compensating and 4% increase tax rates for all public libraries with taxing authority in accordance with the guidelines outlined in KRS Chapter 132. The rates are then made available to the library in the SPGE portal.
The compensating tax rate "produces an amount of revenue approximately equal to that produced in the preceding year from real property" (KRS 132.010(6). The 4% increase rate is calculated to provide approximately 4% more revenue than produced from the compensating rate.

While districts by law are furnished with these two rates, library districts have the ability to take other rates if they so choose. KDLA encourages library districts to carefully examine their revenue needs and then select a rate which meets the community's library needs without placing undue burden on taxpayers. To facilitate this, library districts may request alternate rates for

consideration. If a district requests alternate rates, up to nine alternatives will be provided by KDLA.

Once the board has adopted a rate, certification of the adopted rate should be filed with the county clerk, DOR and KDLA on the DOR supplied form 62A3000. A copy should also be kept on file at the library.

Libraries with taxing authority also adopt a Motor Vehicle & Watercraft Tax Rate by October 1 each year. Libraries receive the form in the mail from DOR and should return the completed form to them and retain a copy at the library.

There are several important legal requirements that must be met when setting taxes and fees, including those set forth in KRS 65A.110, KRS Chapter 132 and KRS Chapter 133. The library district should seek legal guidance before taking actions related to tax rates.

Non-taxing District Libraries

Barren, Crittenden, Elliott, Fayette, Hardin, and Knott County Public Libraries are established as a unit of local government; Ballard and Carlisle, Carter, Christian, Hickman, Hopkins, and Livingston County Public Libraries are established under inter-local agreements and receive the majority of their funding from that government's general appropriation; the Louisville Free Public Library is an agency of the Louisville/Jefferson County Metro Government.

Procurement Law

Public libraries, as governmental entities, are required to comply with all applicable procurement laws. Pursuant to KRS 45A.343, local public agencies may adopt certain provisions of the Kentucky Model Procurement Code (KMPC), specifically KRS 45A.345 to 45A.460. The board should seek legal guidance if questions arise about local procurement laws.

Spending Public Funds

All funds received by the library from any source become public funds. Governmental appropriations must be for a "public purpose." Generally, a public purpose has for its objective the promotion of the public health, safety, morals, general welfare, security, prosperity, and contentment of all, or at least a substantial part of, the inhabitants or residents. There are specific laws applicable to library board spending. KRS 173.020, KRS 173.360, KRS 173.540, KRS 173.755

The use of public funds for the purpose of making a gift to a library employee or awarding a bonus to a library employee is addressed in the Constitution of the Commonwealth. Gifts or bonuses may take the form of additional money, gift cards, property, or unearned benefits, such as extra leave time not specified in policy. If the library district were to award a gift or bonus to an employee, the library board would need to be prepared to defend the "gift" or "award" as an expenditure for a "public purpose." This has been accomplished within the case of teacher

bonuses because of legislative intent – the legislature clearly intended for the funds to be expended in this manner (OAG 00-2). No such legislative intent exists for utilizing library funds for this purpose.

There are ways for libraries to show their employees and volunteers their appreciation. The library could host or purchase a group meal for employees and trustees, so long as the cost is reasonable and the meal is intended only for staff, volunteers or trustees. Likewise, a library could purchase t-shirts or other apparel with the library's logo or some other nominal library-related item.

The Board should seek legal guidance if questions about spending funds arise.

Requests for Donations

Library directors and trustees are sometimes asked to make donations to support community activities and/or programs. Kentucky statute forbids libraries from making uncontrolled donations to organizations or individuals. Each of the four sections of library governing statutes contain a section restricting the use of library funds to strictly library purposes (see: KRS 173.070, KRS 173.360, KRS 173.520, and KRS 173.745). Library boards, therefore, cannot simply donate funds to an organization or individual without the assurance that the funds will be spent for library purposes – often an impossibility.

The Kentucky Attorney General has issued several opinions on the matter of taxing authorities making donations, including:

- (OAG 64-252): a fiscal court could *not* donate to a chamber of commerce for a folk festival
- (OAG 79-129): a fiscal court could *not* donate funds for a high school band trip
- (OAG 85-99): a fiscal court could *not* donate funds to volunteer fire departments in different cities within the county

While library boards are prohibited by statute from making outright donations, these requests can become valuable opportunities to create partnerships and expand library services. For example, rather than donating funds to a local folk festival, a library could purchase an advertisement in the festival program or put on a folktales story time or other program during the festival.

A purchase from an organization or individual may be permissible so long as the purchase is reasonable and will promote the library's mission or provide for or support library operations. These purchases must not require the library to pay more than the reasonable rate for services or goods. Examples of purchases from local organizations that may be permissible include:

- advertising in a school yearbook
- advertising in an athletic program or on athletic uniforms

- the purchase of plants for library landscaping from a school greenhouse

Partnerships or purchases such as these allow the library to contribute to community organizations and events while also providing library services and/or promoting library services. The key to making such requests for funds work as partnerships is to have a policy that allows the director and/or board to evaluate requests for the possibility of providing library services or programming or otherwise furthering the library's mission.

State Aid

Since 1952, the Commonwealth of Kentucky has provided a state aid grant to Kentucky public libraries as appropriated by the Kentucky General Assembly and distributed by the Kentucky Department for Libraries and Archives. The formula is calculated on a base grant plus a per capita amount based on the latest official census data.

Each library's Annual Report of Public Libraries – Application for State Support is also its application for the next available funding cycle of state aid. The deadline for filing this application is in August of each year as per KRS 173.370; KRS 173.570; KRS 173.770. These funds may be used for local library needs and services.

Kentucky Public Library

Trustee Manual

Chapter 5 Special Topics

Kentucky Public Library Trustee Certification Program

The Kentucky Public Library Trustee Certification Program has been created to provide trustees with the tools that will enable them to fulfill their legal responsibilities to the library and their community. When a community member becomes a public library trustee, they must assume these general duties and responsibilities:

- Attend all board meetings, participate in discussions, and support board decisions.
- Advocate for the library in the community and advocate for the community as a member of the library board.
- Secure adequate funds for the library.
- Hire a qualified and competent library director and delegate all management responsibilities to them.
- Support the library director, but also demand accountability for a high quality library.
- Plan for the future with a written strategic plan not to exceed three years' coverage and annual plans derived from the strategic plan.
- Monitor and evaluate:
  - the finances;
  - the director's performance;
  - the library's progress toward its goals; and
  - the board's performance.
- Establish policies for the library.
- Comply with federal, state, and local laws and regulations that pertain to public libraries.

The goals of the certification program are:

- to enable trustees to employ and supervise a qualified library director and evaluate their performance;
- to teach trustees the skills necessary for enabling the library board to function effectively;
- to teach trustees about library finances and how to advocate for the library's needs;
- to enable trustees to assess and adopt policies that will result in the effective operation of the library; and
- to teach trustees about the process of strategic planning and assessing their community's future needs.

Participation in the program is voluntary. To get started in the program:

1. Participate in an orientation program conducted by the library director
2. Participate in an orientation program conducted by KDLA (webinar/Regional Library Consultant).
3. Apply for temporary certification once the orientation program is completed.

Temporary certification will be valid for two years. Once temporary certification is achieved, public library trustees may begin work toward the Kentucky Public Library Trustee Certificate.

Trustees will need to complete a prescribed training program that will consist of one contact hour of continuing education credit in each of the five Public Library Trustee Core Skills.
One contact hour is equal to 50-75 minutes of training.

Public Library Trustee Core Skills
Within each of the five core skills, there are specific topics that can be pursued. Other topics will be accepted if they fall within one of the five areas.

- Trustee Core Skill One: the board and the director's position
- Trustee Core Skill Two: effective board organization
- Trustee Core Skill Three: budget and finance
- Trustee Core Skill Four: creating effective library policies
- Trustee Core Skill Five: planning and advocacy

After the training is completed, the Kentucky Department for Libraries and Archives will issue a Kentucky Public Library Trustee Certificate. This initial certificate will be valid for four years. Public library trustees may renew their certification.

The certificate may be renewed upon completion of eight additional contact hours of continuing education credit in any of the Public Library Trustee Core Skills.

- The renewal certificate is valid for an additional four years.
- Training accepted for recertification includes, but is not limited to:
  - Face-to-face educational sessions provided at local library board meetings by an approved speaker;
  - Regional workshops provided by the Regional Library Consultants or other libraries;
  - A statewide library conference or pre-conference;
  - A national library conference or pre-conference;
  - Online workshops or webinars produced for libraries; or
  - Video recordings produced for libraries.

Procedure for Certification

To participate in the Kentucky Public Library Trustee Certification Program:

Mail a completed Certification Application form for temporary certification or certification renewal, and include a $20.00 check with the form, made payable to "Kentucky State Treasurer."

Submit Learning Activity Report forms immediately following all training activities. Trustees will be notified when certification is close to expiring.

Mail Applications and Learning Activity Reports* to:
Continuing Education Consultant
Trustee Certification
Kentucky Department for Libraries and Archives

Chapter 5 Special Topics
P. O. Box 537
Frankfort, KY 40602-0537

*Learning Activity Reports may be sent by e-mail to KDLA.Certification@ky.gov.

The Kentucky Public Library Association, Kentucky Library Association, Association for Rural and Small Libraries, Public Library Association, and the American Library Association conferences are excellent opportunities to learn more about libraries and well worth your time to attend even if you are not working on trustee certification.

Check with your library director for local procedures regarding trustee certification and training.

Public Library Staff Certification

The Kentucky State Board for the Certification of Librarians, created by the Kentucky General Assembly in 1938, is required by law to issue certificates to qualified library staff. State law requires that public libraries in Kentucky be administered and staffed by appropriately certified personnel. The Certification Board believes that library staff must increase their skills and knowledge through continuing education in order to keep abreast of developments in the information age. This, in turn, upgrades the library profession, enriches the individual librarian, and promotes high quality library service. Thus, the goals of this certification program are:

- to improve library service throughout the state;
- to motivate public librarians to acquire, maintain, and develop their skills through basic and continuing education;
- to recognize public librarians who, on a continuing basis, update their knowledge and skills in order to provide better library service to their patrons;
- to improve the public image of librarians and libraries;
- to provide guidelines for public library boards and supervisors to use in selecting and retaining personnel; and,
- to aid in structuring library educational programs to better meet the educational needs of librarians.

Who Needs to be Certified?

- library directors (full-time or part-time)
- assistant directors (full-time or part-time)
- bookmobile librarians (full-time or part-time)
- branch heads (full-time or part-time)
- department heads (full-time or part-time)
- all other full-time employees who provide library information service (note: full-time means working more than 100 hours per month).

For more information, please consult KDLA's certification webpage.

Kentucky Public Library Standards

The Kentucky Public Library Association, in cooperation with Kentucky Department for Libraries and Archives, publishes guidance in the form of the Kentucky Public Library Standards. Libraries may use the Standards to help make their library the best it can be.

The current edition of the Standards and more information is available on the Kentucky Public Library Association website.

Library Construction

The construction or remodeling of the library building is one of the most exciting and ambitious projects that a library can undertake. Careful planning is essential to a successful building program.

The library's initial step is the formation of a building team which can draw in a variety of individuals when their expertise is needed. The basic building team usually consists of the library director and key staff, selected board members, appropriate government officials, the architect, and later, the building contractor. If the library has been awarded a KDLA construction debt retirement grant, select KDLA staff must be included on the team. Even if the library is working without any KDLA funds involved in the project, a library is encouraged to ask for advice from KDLA's experienced staff.

The library's building team prepares a carefully written building plan that will become the architect's guidebook for creating the uses and functions that are desired by the individual library. This building plan is a description of the library's:

- mission, goals, and objectives,
- service area and population,
- service statistics,
- existing and projected services and collections,
- projected need for space, equipment, and furnishings,
- function and area relationships,
- technical requirements, and
- other local needs or requirements.

Hiring the right architectural firm is the most critical step in a successful building program. While experience with library design is very important, rapport and the ability to communicate between the architect and the library's building team are also highly desirable. The architect should be free to create an individual design, but should also receive a great deal of input from the building team regarding the library's specific needs.

Financing a new or expanded facility is always a major concern. Some options for funding include securing a loan, issuing a bond, or community fundraising. Many libraries will face the need to increase the district tax in order to retire the debt. Setting aside part of the library's operational fund each year as a "capital improvement" or "building fund" line item may be a

prudent step to take early in the planning-to-plan stage. KDLA offers construction debt retirement grants, covering a period up to 20 years, as funds are available.

It is not possible to over-prepare for a building project. Building projects can be frustrating and time-consuming, but they allow the library staff and board to take on the exciting challenge of planning for the community's future library service. The rewards, like the challenges, are great.

Intellectual Freedom

The selection of library materials is an essential process, which is strongly related to intellectual freedom. The board should adopt policies that support the selection of library materials that represent a broad range of topics and ideas to meet the information needs of their communities, including items which some people might find to be objectionable.

In some cases, persons objecting to library materials may attempt to persuade the library to remove those items. To address these attempts, the library board should adopt a policy and procedure for hearing complaints. KDLA can provide direction for both the policy writing and the development of a complaint form. Some protests about library materials result in persons appearing at regular board meetings to present their points of view. The Kentucky Open Meetings Act requires boards to give any members of the public the right to attend the board meetings. This is not an unlimited right, however, and a board may adopt reasonable rules to limit the length of presentations.

Advocacy

Advocacy is a year-round activity at all levels of library service. The library staff who check in and check out the books every day are advocating for their library every time they smile at a patron. The librarian leading a story time is advocating the power of the library to a whole new generation of users. The director hammering through a budget process is making the whole operation run within the funds provided by the community. You, the trustee, have your role as well. Not being a part of the "paid staff" does not keep you from approaching your legislators when you see them in the community. You can mention the library to the people you run into every day. You are a part of your library board because you believe that your local library is important. You know the benefits that public libraries bring to communities across the Commonwealth – economically, educationally, culturally, and socially. Be an advocate for your library and tell others about what the library can do for them.

The KPLA Advocacy Committee works to bring information to public library trustees and personnel regarding legislation or other initiatives that impact the provision of library services. It also works on various initiatives to tell the library story which include award-winning public service announcements that are available on the KPLA website. Annually, the Advocacy Committee plans and manages a Library Advocacy Day during the legislative session and asks that library trustees, employees, friends, and supporters attend to impress the legislators of the importance of public libraries in all of Kentucky's communities. As a trustee, this is something

that you can attend to advocate for your library and to let your legislators know what the library is doing and accomplishing for the citizens in their communities.

Friends

On February 1, 2009, Friends of Libraries U.S.A. (FOLUSA) and the Association for Library Trustees and Advocates (ALTA) joined forces to become an expanded division of ALA known as ALTAFF, the Association of Library Trustees, Advocates, Friends and Foundations, now United for Libraries. Through this partnership, United for Libraries brings together library supporters to speak out on behalf of library services and free public access to information.

Friends of Kentucky Libraries

Friends of Kentucky Libraries is a nonprofit organization made up of individuals and local Friends chapters that support and celebrate Kentucky's libraries. Membership in Friends of Kentucky Libraries is available to any persons, groups, businesses, libraries, trustees, and staff who want to support Kentucky libraries.

Why be a member? Because it provides:

- A network of library supporters from across the state sharing ideas and news;
- Assistance in both creating and revitalizing a local Friends of the Library Chapter;
- A unified voice to advocate for your library and all Kentucky libraries.

Kentucky Public Library

Trustee Manual

Chapter 6 Acronyms and Definitions

ALA: American Library Association

The oldest and largest national library association in the world. Its concern spans all types of libraries: state, public, school and academic libraries, special libraries serving government, commerce and industry, the arts, the armed services, hospitals, prisons, and other institutions.

Annual Report of Public Libraries

The report of library statistics and finances required to be submitted to KDLA and the appropriate local government officials each year in August. The Authorization Page which accompanies the Report is also the library's application for continued State Aid.

Certification

Trustee – The Kentucky Public Library Trustee Certification Program provides trustees with the tools that will enable them to fulfill their legal responsibilities to the library and their community.

Staff – The Public Library Staff Certification is a method of assuring qualified staff in public libraries. No library coming under the provisions of KRS 171.230 – 171.300 shall have in its employ, in the position of librarian, or in any other full-time professional library position, a person who does not hold a certificate of librarianship issued by the Kentucky State Board for the Certification of Librarians.

Continuing Education

Continued training is necessary for library staff and trustees to increase their skills and knowledge and keep abreast of developments in the information age. This, in turn, upgrades the library profession, enriches the individual librarian, and promotes quality library service. See the KDLA website for continuing education opportunities.

Special Purpose Government Entities (SPGEs)

Special Purpose Governmental Entities are defined in KRS 65A.010. Most Kentucky public libraries are SPGEs and are required to follow certain requirements set forth in KRS Chapter 65A. There are several reports that SPGEs are required to submit annually to the Department for Local Government (DLG) on the SPGE portal. More information and a filing calendar can be found on the SPGE Portal Help Center. Filing deadlines are also included on the Kentucky Public Library Calendar.

E-Rate

The federal Schools and Libraries Program of the Universal Service Fund, or "E-rate," is designed to ensure that schools and libraries have access to affordable high-speed broadband to support digital learning and robust connectivity. E-rate eligible services include monthly internet access or data transmission charges for library branches, including the bookmobile, as well as internal networking equipment and maintenance or managed services related to eligible networking equipment at public service branches. To participate, Kentucky public libraries must meet the eligibility definitions for public library determination set by KDLA. For more information, see KDLA's E-rate webpage or the program administrator's website.

FoKL: Friends of Kentucky Libraries
A nonprofit organization made up of individuals and local Friends chapters that support and celebrate Kentucky's libraries.

Friends of Libraries
Local Friends chapters exist nationwide to assist libraries in fulfilling their mandates by fundraising, promotion, and support. Information about creating a library Friends group and 501(c)(3) nonprofit can be found at United for Libraries Resources for Friends Groups.

ILL: Interlibrary Loan
A service that allows libraries to borrow materials from other libraries for the use of their patrons.

ILS: Integrated Library Systems
Software that allows the library to use a single database to perform all functions for managing that library's records, such as acquisitions, cataloging, circulation, and serials management, and to provide online access to library records.

IMLS: Institute of Museum and Library Services
An independent federal agency that provides library grants, museum grants, policy development, and research. Library Services and Technology Act (LSTA) funding comes from IMLS.

KAR: Kentucky Administrative Regulations
Regulations created by the Executive Branch of the Commonwealth of Kentucky.

KDLA: Kentucky Department for Libraries and Archives
A state government agency whose mission is to support and promote access to library services and to ensure that documentation of government activities is created, preserved, and made available for public use.

KLA: Kentucky Library Association
A membership organization of persons interested in promoting and improving all types of library service in Kentucky.

KPLA: Kentucky Public Library Association
A section of the Kentucky Library Association that addresses the issues and needs of public librarians and trustees. KPLA provides for professional growth through service to the library community and opportunities to share new skills and knowledge in publications and presentations. The Association also produces practical tools to facilitate improvement of public library services and resources, such as the Kentucky Public Library Standards. The KPLA Conference is held each spring and is a great place to get Staff and Trustee Certification training.

KRS: Kentucky Revised Statutes

The statutes of the Commonwealth of Kentucky promulgated by the General Assembly.

KTBL: Kentucky Talking Book Library
The Kentucky Talking Book Library offers service to Kentuckians who are vision impaired or physically unable to hold a book. Services include digital talking books, Braille, and downloadable books. Any resident of Kentucky who has difficulty reading standard print material or who is unable to hold a book and turn the pages is eligible for this service.

KYVL: Kentucky Virtual Library
Open seven days a week, 24 hours a day, the Kentucky Virtual Library (KYVL) is dedicated to supplying all Kentuckians with a comprehensive and dynamic collection of information resources. Libraries pay a fee towards this service which helps maintain access to databases, interlibrary loan, and a statewide courier service.

LSTA: Library Services and Technology Act Grants to State Program
The Grants to States program is the largest source of federal funding support for library services in the U.S. Using a population-based formula, around $180 million is distributed to State Library Administrative Agencies (SLAAs), including KDLA, every year. SLAAs, informally known as state libraries, are official agencies charged by law with the extension and development of library services. SLAAs may use the funds to support statewide initiatives and services, and they may also distribute the funds through competitive subawards to, or cooperative agreements with, public, academic, research, school, or special libraries or consortia.

MLS/MLIS/MSLS/MSLIS
A graduate degree for professional librarians.

NLW: National Library Week
A national observance sponsored by ALA and libraries across the country each April to celebrate the contributions of libraries and librarians and to promote library use and support.

OAG: Opinions of the Attorney General
Legal opinions provided on issues of public interest.

OCLC (formerly known as the Online Computer Library Center)
OCLC is a worldwide library cooperative, owned, governed, and sustained by members since 1967. It provides a global database of the materials available at member libraries that is used to locate materials for interlibrary loan.

OMD: Open Meetings Decision
The Office of the Attorney General issues legally binding decisions in disputes regarding the open meetings laws.

OPAC: Online Public Access Catalog
The electronic version of the card catalog.

ORD: Open Records Decision
The Office of the Attorney General issues legally binding decisions in disputes regarding the Open Records Act.

Public Library
In KRS 173.300, a public library is defined as "a free public library supported in whole or in part with money derived from taxation, and governed by a board."

Quorum
Minimum number of members required to conduct business. When a library board has five members a quorum is three members.

Standards
The Kentucky Public Library Standards include criteria developed by KPLA suggesting certain minimums deemed essential for proper operation of libraries.

State Aid
Annual cash grant payments to the public library from the Commonwealth as appropriated by the legislature. This aid has been provided to fulfill "the intent of the Kentucky General Assembly to establish a method of providing direct state aid to local public libraries in order to assure their continued existence and to enhance their services for the benefit of the citizens of the Commonwealth" (KRS 171.2001).

Strategic Planning
Strategic planning is a disciplined effort to produce fundamental decisions and actions that shape and guide what a library is, what it does, and why it does it, with a focus on the future.

SRP: Summer Reading Program
Kentucky is a member of the Collaborative Summer Library Program (CSLP) which provides an annual summer reading program theme, manuals, and promotional materials. Materials are designed for each library to personalize in providing programming and reading incentives to children during the summer break.

United for Libraries: Association of Library Trustees, Advocates, Friends and Foundations
United for Libraries, formerly ALTAFF, is a national network of enthusiastic library supporters who believe in the importance of libraries as the social and intellectual centers of communities and campuses.

Kentucky Public Library

Trustee Manual

Chapter 7 Appendix

Chapter 7 Appendix

Essential Library Policies for Kentucky Public Libraries

Current, effective library policies are essential components for a strong organization. KDLA has developed a list of example policies.

KDLA strongly recommends library boards adopt local policies and procedures on the following topics:

Library Operations Policies:
Building Maintenance
Circulation
Unattended Children
Collection Development
Computer Use
Customer Behavior
Copyright
Displays
Filtering
Genealogy
Gifts and Appraisal
Information Security
Interlibrary Cooperation
Internet Use
Investment
Material Selection/Complaints
Meeting Room
Patron Confidentiality
Patron Materials Requests
Record Retention
Smoking
Weapons in the Library

Personnel Policies:
Absenteeism and Tardiness
Bereavement Leave
Breaks
Conferences and Meetings
Conflict of Interest
Disabilities or ADA
Dress Code
Educational Assistance/ Tuition Reimbursement
Emergency Closing
Employee Privacy
Employment of Relatives
Equal Opportunity Employment
Evaluations/Performance Appraisal
Expense Reimbursement
FMLA
Grievance
Health/Other Insurance
Hiring/Recruitment
Holidays
Inclement Weather
Internet/E-mail/Social Media Use
Job Descriptions
Jury Leave
Meal Periods
Mileage Reimbursement
Military Leave
Personal/Other Paid Leave
Overtime
Payroll Deductions
Performance Improvement
Professional Memberships
Retirement
Salary Payment
Salary Increases
Sexual Harassment
Sick or personal leave
Substance Abuse
Termination of Employment
Unpaid Leave
Vacation Leave
Voting Leave
Workplace Violence
Workweek

Board Policies:
Accounting
Audit
Availability of Public Records (Open Records)
Board Bylaws
Board Expense Reimbursement
Board Conflict of Interest
Code of Ethics
Confidentiality of Library Records
Fiscal Responsibility
Handling of Library Funds, Expenses & Oversight
Investment
Procurement/Purchasing
Public Relations
Sponsorship/Partnership
Training or Orientation of Board Members
Whistleblower

Example of an Agenda

XYZ County Public Library
Regular Monthly Board Meeting Agenda
January 12, 20XX
4:00 pm
My Town, Kentucky

Call to order *(President of the board or presiding officer)*

Public Comment *(allows visitors to make comments to board as provided in policy)*

The two following agenda items require a motion, second and vote by the board, and can or should be mailed/e-mailed and read prior to the meeting.

Approval of minutes

Financial report and approval of vouchers *(may be given by bookkeeper or treasurer)*

Business
Nomination for trustee vacancy *item of relative simplicity*
Review of Strategic Plan progress *complex item; detailed discussion*
Internet Policy revision *controversial item; debate likely*
Minor policy revision *item of relative simplicity*

Reports:
Reports *(can be mailed and read prior to meeting)*
Library Director
Board Committee(s)
Friends of the Library
Regional Library Consultant/KDLA Monthly Report

Next meeting *date and time of next meeting*

Adjournment *requires a motion, second, and vote*

(Note: In the actual agenda provided for the meeting, the items of business should have brief descriptors and/or background information to facilitate their discussion. The order reflects a "warm up" item, followed by the ones likely to require the most discussion, and ending a with a "cool down" item. This allows discussion of the important items while everyone is highly engaged and before anyone who must leave early has left the meeting).

Example of Minutes

XYZ County Public Library
Minutes of the Regular Board Meeting
March 15, 20XX
5:00 pm
My Town, KY

CALL TO ORDER: Lee North called the meeting to order at 5:10 pm.

PRESENT: Lee North, President; Alyce South, Vice-President; Pat East, Secretary; Jim West, Treasurer; Sean Knight, Attorney; Lou Day, CPA; Lily White, Director; and Karen Reid, Regional Library Consultant.

ABSENT: Chris Woods, Member.

PUBLIC COMMENT: Fred Jones, representing the Civil War Historical Society, requested permission to display Civil War mementos that include several Confederate items. The board will consider this request at the next board meeting.

AGENDA: The March agenda was e-mailed to board members. Director White requested that the Accountant's Report be moved up to follow the Treasurer's Report. Vice-President South asked to add a discussion of the future of a new branch to the items of business.

- MOTION TO APPROVE THE REQUESTED CHANGES TO THE AGENDA, PAT EAST. SECOND, JIM WEST. APPROVED UNANIMOUSLY.

MINUTES: Minutes of the February meeting were e-mailed to board members.

- MOTION TO APPROVE THE MINUTES OF THE FEBRUARY MEETING AS RECEIVED, JIM WEST. SECOND, PAT EAST. APPROVED WITH LEE NORTH ABSTAINING DUE TO HIS ABSENCE AT THAT MEETING.

TREASURER'S REPORT: The Treasurer's report for February was e-mailed to board members.

- MOTION TO APPROVE THE FEBRUARY TREASURER'S REPORT AS RECEIVED, ALYCE SOUTH. SECOND, PAT EAST. APPROVED UNANIMOUSLY.

- MOTION TO APPROVE THE FEBRUARY REPORT OF EXPENDITURES AND TO PAY THE BILLS, PAT EAST. SECOND, ALYCE SOUTH. APPROVED UNANIMOUSLY.

ACCOUNTANT'S REPORT:
Lou Day distributed and reviewed balance statements for February. He reported that the first of the two maturing CDs had been reinvested at First Bank at 3% annual yield. He has requested rate proposals on the second CD.

BUSINESS:
New Branch. Alyce South raised the question of whether and when the board should begin consideration of the location for a new branch. Discussion included changes in the character of Main Street and how they impact the library, development trends in that area of the county, and the process for evaluating and acquiring a branch site. The future availability of suitable land/sites was noted as a concern given the past and anticipated growth of the county.

Board Manual. Copies of the Audit, Budget, and Fixed Asset Management statements were e-mailed to board members. Accountant, Lou Day and Attorney, Sean Knight confirmed that the statements as provided complied with best practice and with applicable statutes. Director White noted that the capitalization threshold table, previously approved on November 18, 2008, had been revised to include software as a separate asset category.

- MOTION TO APPROVE THE REVISED TABLE AS PRESENTED, ALYCE SOUTH. SECOND, JIM WEST. APPROVED UNANIMOUSLY.

There were no questions, and by consensus, the statements were accepted for the board manual.

FMLA policy revision. The proposed revision was e-mailed to board members. Director White noted that the changes were essentially statements taken directly from the new federal FMLA legislation and that the library policy served as a general description of employee FMLA rights. The full details of FMLA coverage are available from the HR Manager.

- MOTION TO APPROVE THE REVISED FMLA POLICY AS RECEIVED, ALYCE SOUTH. SECOND, JIM WEST. APPROVED UNANIMOUSLY.

New Trustee Nominating Committee. Pat East and Lee North reported on their nominations for board trustees. Several have confirmed their interest by completing an application. However, there are still some who may apply for the South County vacancy. All remaining candidates will be asked to submit their applications. A special meeting is scheduled for Tuesday, March 29, 8:30 am at the library to review all candidates and select the final candidate(s) for each vacancy.

Closed Session. Enter closed session, under KRS 61.810(1) (b) to discuss the sale of property for the library. The reason is to discuss an offer from a buyer.

- MOTION TO ENTER CLOSED SESSION, LEE NORTH. SECOND, ALYCE SOUTH. APPROVED UNANIMOUSLY.

- The board went into closed session at 5:48 and came out of closed session at 6:10 PM.

Sale of Property. Accept the offer of $200,000 for the old library building at 1898 Main Street made by the XYZ Co. Public Schools. The library director will work with the library attorney Sean Knight to finalize all paperwork and the board president will sign any needed documentation to finalize the sale and transfer the property.

- MOTION TO ACCEPT OFFER AS PRESENTED, PAT EAST. SECOND, ALYCE SOUTH. APPROVED UNANIMOUSLY.

ATTORNEY'S REPORT: Sean Knight reported that SB172 was voted out of committee, but was not introduced on the floor. Senator Adams is expected to pursue this in the next legislative session.

FRIENDS OF THE LIBRARY REPORT: There was no report.

LIBRARIAN'S REPORT: Director White reviewed highlights from her report – which she e-mailed to the board. Also noted:

The KY123 property survey is complete and the architect will begin developing site plan proposals for the new branch.

REGIONAL LIBRARY CONSULTANT'S REPORT: Report was e-mailed to board members.

NEXT MEETING: 5:00 pm on April 19.

ADJOURNMENT: There being no further business, the meeting was adjourned at 6:30 pm.

- MOTION TO ADJOURN, JIM WEST. SECOND, PAT EAST. APPROVED UNANIMOUSLY.

Minutes taken by Marian Smyth, Library Assistant.

_____ _____

Pat East, Secretary Lee North, President

Oath of Office

I do solemnly swear (or affirm, as the case may be) that I will support the Constitution of the United States and the Constitution of this Commonwealth, and be faithful and true to the Commonwealth of Kentucky so long as I continue a citizen thereof, and that I will faithfully execute, to the best of my ability, the office of Trustee of the _____ Public Library according to law; and I do further solemnly swear (or affirm) that since the adoption of the present Constitution, I, being a citizen of this State, have not fought a duel with deadly weapons within this State nor out of it, nor have I sent or accepted a challenge to fight a duel with deadly weapons, nor have I acted as second in carrying a challenge, nor aided or assisted any person thus offending, so help me God.

Signed _____
Trustee

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

Signed _____
Judge or Certifying Officer

What to Expect from KDLA's Regional Library Consultants

Regional Library Consultants are here to help you make your library a place your friends and neighbors can't do without! Some of the things they do to serve libraries include:

Attends meetings to get to know your library and offer the most relevant information possible to your library director and board.

Advises your director and the board on policy development, personnel issues, public relations, grant writing, collection development and other library issues.

Assists with compliance with DLG deadlines & requirements.

Serves as a resource person to offer you new ideas and best practice information from around Kentucky and the world.

Provides training and orientation for local trustees and library staff as requested.

Guides you to use the Kentucky Public Library Standards to provide the library your community needs.

Assists with the library's Annual Report and other government-required reports.

Coordinates meetings for the region's directors and other special groups of employees.

Helps you decide who to call for assistance.

Assists you in making the best decisions for your library and your community.

Trustee Application

KDLA strongly encourages the use of an application form for prospective trustees. The applications of those not selected can be kept on file at the library for future board openings. An example application is available on our website.

The Board of Trustees protects and advances the interests of the broader community by effectively governing the operations and promoting the development of the local public library. Applicants should be active and informed, participate fully in board meetings, respect fellow members and be a team player, understand the role of all involved, avoid conflicts of interest, advocate for the library, and provide the highest quality of service. Trustee terms are four years unless filling an unexpired term. This is an unpaid volunteer position appointed by the local appointing authority and requires attendance at monthly board meetings.

The library board should reflect the community it serves by appointing active and committed residents, regardless of their various characteristics such as race, gender, age, religion, disability, etc. This diversity brings different perspectives, ideas, and expertise to the board, improving decision-making and considering the needs of all community members. Inclusion is also vital, creating an environment where everyone is valued and given equal opportunities to contribute. By embracing diversity and inclusion, the library board shows its commitment to equal opportunity and ensures relevant and accessible services for everyone.

Filling Board Vacancies

Effective July 15, 2026, the process in which vacancies on the library board are filled is determined by the method the library was established.

For all expiring terms, the library shall notify the appointing authority at least sixty (60) days before the expiration of the term. KRS 65.008(1).

For all expiring terms, the appointed member of the library board shall continue to serve until a successor is appointed and qualified. KRS 65.008(2).

County List by Founding Statute (and instructions for filling board vacancies)

Libraries established as units of local government under section KRS 173.300:
(Barren, Crittenden, Elliott, Fayette, Hardin, Knott)

1. The board notifies the appointing authority (county judge/executive for county libraries; mayor for city libraries) of vacancy(ies);
2. The appointing authority, with the approval of fiscal court (county libraries) or city council (city libraries), appoints the individual to the library board to either a full term of four years or the remainder of an unexpired term;
3. The newly appointed trustee takes the Oath of Office before a judicial officer.

Libraries established under section KRS 173.460: (Bath, Boone, Carroll, Clay, Fleming, Floyd, Fulton, Gallatin, Graves, Harlan, Harrison, Lawrence, Lewis, Lincoln, Magoffin, Muhlenberg, Nicholas, Ohio, Robertson, Rockcastle, Shelby, Simpson) **or under KRS 173.715:** (Adair, Allen, Anderson, Bell, Bourbon, Boyd, Boyle, Breathitt, Breckinridge, Bullitt, Butler, Caldwell, Calloway, Campbell, Casey, Clark, Clinton, Cumberland, Edmonson, Estill, Franklin, Garrard, Grant, Grayson, Green, Greenup, Hancock, Hart, Henderson, Henry, Jackson, Jessamine, Johnson, Kenton, Knox, LaRue, Laurel, Lee, Leslie, Letcher, Logan, Lyon, Marion, Marshall, Martin, Mason, McCreary, Meade, Menifee, Mercer, Metcalfe, Monroe, Montgomery, Morgan, Nelson, Oldham, Owen, Owsley, Pendleton, Perry, Pike, Powell, Pulaski, Rowan, Russell, Scott, Spencer, Taylor, Todd, Trimble, Union, Washington, Wayne, Webster, Whitley, Wolfe, Woodford)

The process for filling expired and unexpired term vacancies is determined by whether the fiscal court has adopted the alternative appointment process set forth in KRS 173.490(1)(b) or KRS 173.730(1)(b).

A. No Alternative Appointment Process Adopted
   1. The library board recommends two (2) persons committed to the provision of library services and living in the county to the county judge/executive for each vacancy. [1]
   2. The county judge/executive shall within thirty (30) days, with the approval of the fiscal court, make the selection from those recommended.
   3. Within fourteen (14) days, the board shall notify the Department for Libraries and Archives of the name of any person appointed.

[1] Failure to act timely could have legal consequences that affect the county judge/executive's ability to make a nomination. *See* KRS 65.008. The board should seek legal counsel if they have questions about their duty to act.

B. Alternative Appointment Process Adopted
   1. The library board recommends one (1) person committed to the provision of library services and living in the county to the county judge/executive for each vacancy. [2]
   2. Within 30 days, the county judge/executive may, with the approval of the fiscal court, either:
      I. Appoint the person(s) recommended by the board; or
      II. Reject the board's recommendation and appoint individual(s) of his or her choosing no later than thirty (30) days after rejecting the board's recommendation.
   3. Within fourteen (14) days, the board shall notify the Department for Libraries and Archives of the name of any person appointed.

[2] Failure to act timely could have legal consequences that affect the county judge/executive's ability to make a nomination. *See* KRS 65.008. The board should seek legal counsel if they have questions about their duty to act.

For libraries established under another statute, please consult your library attorney if you have questions about your board appointment process.

- Libraries established under section KRS 65.180: (Bracken, Madison, Trigg)

- Libraries established under section KRS 65.210: (Ballard and Carlisle, Carter, Christian, Hickman, Hopkins, Livingston)
- Libraries established under KRS 67.715: (Daviess, McCracken, McLean, Warren)
- Libraries established under KRS 173.105: (Jefferson)

Important Reminders

- KDLA will send a reminder to the library director four months in advance of a vacancy.
- The library board is expected to have the nominee(s) for the expired vacancy sent to the appointing authority at least 60 days in advance of the vacancy. KRS 65.008
- After the appointment is made, the library director sends a copy of the letter of appointment or the minutes of the fiscal court or council meeting to KDLA at the contact locations listed below:

Executive Administrative Secretary, Commissioner's Office
Kentucky Department for Libraries and Archives
P. O. Box 537
300 Coffee Tree Road
Frankfort, KY 40602-0537
502-564-8303
Fax 502-564-5773
kdlatrusteeappointments@ky.gov

Kentucky Public Library

Trustee Manual

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