

<b>Section 10</b>	<b>Bylaws of the Morris Area Public Library Board of Trustees</b>
<b>Public Policy and Procedure Manual</b> Approving Authority: Morris Area Public Library District Board of Trustees	Effective Date: 01/05/2010 Reviewed and Revised: 03/07/2012, 07/13/2020, 12/23/2021, 10/12/2023, 08/15/2024

# Bylaws of the Morris Area Public Library Board of Trustees

These Bylaws are supplementary to the provisions of the statutes of the State of Illinois as they relate to the procedures of the Board of Library Trustees.

## A. Board of Library Trustees

The Board of Library Trustees of the MAPL District (the Board) is charged with the responsibility of the governance of the Library. The Board will hire a skilled and qualified Library Director (Director) or acting Director who will be responsible for the day-to-day operations of the Library. Library Trustees (Trustees) are not to be compensated but will be reimbursed for necessary and related expenses. Trustee terms shall be four (4) years, except when appointed for a vacancy. Appointees for a vacancy term expires upon the next election cycle. Trustees are expected to attend Board meetings, read materials presented for review, and attend training as per the Trustee Manual. The Director shares workshops with the Board in a timely manner. It is the goal of the Board to have each Trustee attend a minimum of one educational training during each fiscal year. Trustees using their own vehicle will be reimbursed at the rate allowed by the IRS for travel to and from any library system (or other Library-related) workshop, seminar, or meeting. Outside of necessary Board duties, Trustees are regular patrons and as such are not exempt from late fees, fines, or other user fees in the library system.

## B. Library Board Trustee Eligibility

To be eligible to serve as a Library Trustee for the MAPL, candidates must be a minimum of age 18, live within the Library district, be a patron in good standing, not be in violation of the Library Board’s nepotism policy, and be otherwise fit to serve as mandated by law. Due to the inherent conflict of interest, no employee shall, after termination of service or employment with the Library, be eligible to serve as Library Trustee, unless approved by a supermajority of the Library Board. (Last update: 7/2024)

## C. New Trustees

Generally, the Oath of Office for Trustees will be administered by the Board Secretary at the meeting during which Trustees are appointed or inducted. As part of the new Trustee orientation and training, the Director shall meet with new Trustees to examine the Library facility, review Library services, review and sign the *Trustee Ethics Statement*, and provide new Trustees access to the following content. All physical material shall be returned to the Library at the end of a Trustee’s term. See Board of Trustees file (with Director).

## 1. Information Content

- a. Mission statement, strategic management plan, technology plan, and all library policies and procedural plans
- b. Budget, budget cycle, and procedures; monthly financial reports; levy, and relationship between Library and municipality, county and state library. (See appendix for schedule)
- c. Doyle, Robert P. and Robert N. Knight, eds. *Trustee Facts File*. 4th ed. Chicago: Illinois Library Association, 2012; or current edition.
- d. Boze, Patricia et. all *Illinois Public Library Trustee Manual*. COSLA, Illinois State Library, 2016; or current edition.
- e. ALA's *Freedom to Read Statement and Library Bill of Rights* and its interpretations; collection management; censorship issues and the procedure for addressing a patron's request for reconsideration of Library materials.
- f. United for Libraries, *Public Library Trustee Ethics Statement*.
- g. Board bylaws, staff roles and responsibilities, and errors and omissions insurance.
- h. Board meeting dates, committees with chairs and members, names, addresses, and term length and dates of other Trustees, sample agenda, and prior year's minutes.
- i. *Serving our Public 4.0: Standards for Illinois Public Libraries*, State Library Per Capita Grant, *Illinois Public Library Annual Report (IPLAR)*.
- j. Current copy of *Illinois Library Laws & Rules* (St. Paul, MN: Thompson Reuters), issued periodically by and available from the Illinois Library Association.
- k. Robert III and others, *Robert's Rules of Order, Newly Revised*, 11th ed., Da Capo Press, 2011.
- l. Parliamentary procedure quick reference guide
- m. The value/benefits of membership in professional organizations such as the American Library Association and the Illinois Library Association.
- n. *Illinois Open Meetings Act; Illinois Ethics Act; Freedom of Information Act*.
- o. List of websites for such organizations as American Library Association, Illinois Library Association, and the Public Library Association.
- p. Diamond, Stewart H., and W. Britt Isaly. *Financial Manual for Illinois Public Libraries*. Chicago: Illinois Library Association, 2007.

## D. Conflict of Interest

Trustees may not, in their individual capacity, negotiate, bid for, or enter into a contract with the Library in which they have a direct or indirect financial interest. A Trustee shall disclose and withdraw from Board discussion, deliberation, and vote on any matter in which the Trustee, an immediate family member, or an organization with which the Trustee is associated has a financial interest. A Trustee may not receive anything of value that could reasonably be expected to influence a vote or other official action.

## E. Nepotism

The Library shall not employ in any position relatives of any Trustee or the Board or the Director. A relative is defined as: parent, child, grandparent, grandchild, sibling, brother- or sister-in-law, aunt, uncle, niece, nephew, or one who has a relationship with the Trustee or Director similar to that of a blood relative or through marriage.

## F. Grievance Procedure

An employee's grievance in the event the matter involves the conduct of the Board of Trustees or a single Trustee, the employee may submit the written grievance to the Director, or the designated whistleblower agent. In the following format:

1. Date of grievance
  - a. Statement of grievance;
  - b. Response to the grievance;
  - c. Action, if any, taken
    - i. The Library Board may take action as the Library Board deems appropriate.
    - ii. In the event the matter includes the conduct of the Director, an employee may submit the written grievance directly to the Library Board President, copied to a second Trustee of the employee's choice. The Board President will bring the matter to the attention of the entire Board at the next scheduled meeting, in closed session.
    - iii. Anyone with a grievance about the workplace should bring the matter, in writing, to the Director. If the grievance is not resolved satisfactorily, they may bring the matter to the designated whistleblower agent at the following address: Grundy County State's Attorney Office at 111 E Washington St # 16, Morris, IL 60450 - 815.941.3276

## G. Officers and Elections

The Officers of the Board shall be President, Vice-President, Secretary, and Treasurer. They shall be elected for (2) year terms at the Board's regular meeting in the month following the induction of newly elected Trustees. The President shall not serve more than two consecutive terms unless by unanimous Board consent. In the event of a resignation from an Office, an election among current Trustees to fill the unexpired term of that Office will be conducted at the next Board's regular meeting.

1. President
  - a. The President shall preside at all Board meetings, appoint all standing and special committees, serve as ex-officio member of all committees, and perform all other such duties as may be assigned by the Board. The President shall be the only spokesperson for the Board in all advisory or disciplinary action directed to the staff. Refer to the communications policy (section U). The President shall maintain, with the Director's assistance, accurate records of all Trustee training (i.e., OMA, FOIA, etc.).
2. Vice President
  - a. The Vice President, in the absence of the President, shall assume all duties of the President. The Vice President is responsible for educational components/materials to be presented at each Board meeting.
3. Secretary
  - a. The Secretary shall certify, by signature, all Board documents. The Secretary shall also perform all other clerical duties as may be assigned by the Board.
4. Treasurer
  - a. The Treasurer shall serve as chair on the Finance Committee, and work with the Director to develop the annual budget and other financial documents as needed or requested. The normal depository of all financial records shall be the Library. In the absence of the Treasurer or when he or she is unable to serve, the President or Vice President may perform the duties of the Treasurer. The Treasurer shall be bonded in the amount to be approved by the Board. The Treasurer is authorized to pay salaries and bills. Library checks shall be signed by two Trustees.

## H. Trustee Meetings

There are two types of Trustee meetings: Regular and Special. Regular meetings are set by ordinance. Special meetings are all other meetings, including but not limited to committee meetings and work study sessions. The Board will meet at least once per month for Regular Meetings as defined by ordinance. All meetings will be open to the public and noticed in advance both physically and electronically. The agenda and/or information packet for Regular Meetings will be distributed to the Trustees by the Director prior to meetings. Any Trustee wishing to have an item placed on an agenda will contact the Director in sufficient time preceding the meeting to have the item included. Any Trustee who is unable to attend a meeting will notify the Director to indicate that they will be absent; due to the fact that a quorum is required for each meeting, this notification shall be placed as far in advance as possible. All meetings shall be held in accordance with the Open Meetings Act (OMA), and shall be open to the public. All Trustees must take OMA training. (See Appendix NN)

### 1. Regular Meetings

- a. The Regular Meeting of the Board shall be on the second Monday of each month unless otherwise noted. The meeting shall be at the Library at 6:30 pm, unless advertised to the public. At the beginning of each fiscal year, the Board shall, by ordinance, set Regular Meeting dates for the upcoming fiscal year. The Director, or President shall post the schedule in the Library and electronically.
- b. Regular meetings shall adhere to the following agenda -

**Morris Area Public Library  
Board of Trustees Agenda  
DATE  
6:30p  
Morris Area Public Library Conference Room**

The Morris Area Public Library will convene a regular meeting on **DATE**, at 6:30p in the library basement. The meeting will include an opportunity for public comment. Any member of the public that would like to make a public comment can submit their public comment via email to [sdavy@morrislibrary.com](mailto:sdavy@morrislibrary.com) by 4:30p on **DATE**. Public comments submitted via email will be announced during the public comment portion of the meeting.

### Agenda -

1. Call to Order and Roll Call
2. Review of the Agenda for Additions/Changes
3. Correspondence, Communications, and Public Comment
4. Minutes from previous regular meeting
5. Directors Report
6. President's Report -
7. Vice President's Report -
8. Financial Report
  - i. **MONTH** Check Detail

- ii. Fund Account
- iii. Reconciliation Report
- iv. Budget vs Actual
- v. Spark card
- vi. Consent Agenda Motion to approve:

**9. Committee Reports**

- i. **Finance Committee (Cummings)**
- ii. **Technology Committee (Ebert)**
- iii. **Strategic Plan Committee (Keavney)**
- iv. **Personnel Committee (Davy)**
- v. **Policy Committee (Cummings)**
- vi. **Facilities Committee (Geiger)**
- vii. **Ad hoc Construction Committee (Mai)**

**10. Unfinished business**

**11. New Business**

**12. Executive Session**

- a. Executive session pursuant to 5ILCS 102/2: the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body against legal counsel for the public body to determine its validity.
- b. Executive session pursuant to 5ILCS 102/3: the selection of a person to fill a public office, as defined in this Act, including a vacancy in a public office, when the public body is given power to appoint under law or ordinance, or the discipline, performance or removal of the occupant of a public office, when the public body is given power to remove the occupant under law or ordinance.

**13. Action on Executive Session**

**14. Other**

**15. Adjournment**

**All topics on the agenda are potential action items.**

**The Morris Area Public Library District is subject to the requirements of the Americans with Disabilities Act. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting for the facilities, are required to contact the library administrator at (815) 942-6880 x116 promptly to allow the Morris Area Public Library District to make reasonable accommodations for those persons.**

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, Board Secretary

**2. Special Meetings**

- a. Special Meetings shall be held at any time when called by the President or Secretary or by any Committee chair Notice shall be provided as required by OMA. No business except that stated in the notice and agenda shall be transacted.
- b. Special meetings shall adhere to the following agenda -

## Agenda

**DATE**

**TIME**

### Morris Area Public Library Conference Room

The Morris Area Public Library will convene a **TYPE** meeting on **DATE**, at 6:30p in the library basement. The meeting will include an opportunity for public comment. Any member of the public that would like to make a public comment can submit their public comment via email to **youremail@morrislibrary.com** by **TIME** on **DATE**. Public comments submitted via email will be announced during the public comment portion of the meeting.

#### Agenda -

1. Call to Order and Roll Call
2. Public Comments
3. Review of the Agenda for Additions/Changes
4. Unfinished business
5. New Business
6. Other
7. Adjournment

**All topics on the agenda are potential action items.**

The Morris Area Public Library District is subject to the requirements of the Americans with Disabilities Act. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting for the facilities, are required to contact the library administrator at (815) 942-6880 x116 promptly to allow the Morris Area Public Library District to make reasonable accommodations for those persons.

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, Board Secretary

3. In the event that a Disaster Proclamation is issued, the following temporary rules supersede normal procedures for holding public meetings and allowing for public comment.

Provided that the Board President and Director makes a local determination that it is not practical or prudent to meet in-person because of an emergency, meetings of the Board of Trustees may be held via remote digital means without the need to establish an in-person quorum nor for each Trustees to have their remote participation authorized by a vote of the Board.

All other conditions of holding public meetings will remain the same as required by the Illinois Open Meetings Act (See Appendices C).

## I. Trustee Remote Attendance

Pursuant to the Illinois Open Meeting Act (5 ILCS 120/7) Library Trustees are permitted to attend Library Board meetings by means other than physical presence.

## Prerequisites, Requirements, Rules and Rights:

Any member of the Library Board may attend a meeting remotely if the member meets each of the following conditions:

- a. A quorum of the members is physically present throughout the meeting.
- b. A majority of those members physically present votes in favor of allowing the electronic attendance of the member requesting to attend electronically. The availability of working equipment, operating difficulties and communication/technical issues may result in denial of such a request or inability to provide that service, even though the Library Board voted to approve the request.
- c. The trustee must be prevented from physically attending because of one of the following reasons as determined in (5 ILCS 120/) Open Meetings Act (See Appendices C):
  - (i) Personal illness or disability
  - (ii) Employment purposes or the business of the public body, or
  - (iii) A family or other emergency.

Notification to the Director and the Board President with the request and the reason for the absence needs to be given 72 hours in advance, unless such advance notice is impractical. In cases of emergency, when notification time is limited, all efforts shall be made to accommodate remote participation if possible. The public notification must reflect the remote participation request by the Trustee. If the public notice for the meeting has already been posted, an updated notification must be provided.

As soon as the request for remote attendance has been submitted, the Director shall notify all Trustees of the absence with the reason it was requested.

At the scheduled meeting, after a roll call establishes a quorum being physically present, a motion must be made to allow for the remote attendance with a majority of the physical members agreeing to allow the procedure, and the equipment being available and working properly. Any member participating remotely shall be considered an off-site participant and the meeting minutes will reflect that fact as well as the means of communication. If a Trustee requesting remote participation is allowed by a majority vote, the minutes must reflect the trustee as being remote.

Trustees participating remotely shall be afforded all of the same rights and are held to the same laws and standards of conduct as trustees physically participating.

This policy shall not be construed to mean that remote participation shall be regularly used or used at every meeting but shall be used only as necessary by trustees who are unable to attend in person, according to ILSC 120/7.

## **J. Annual Meetings**

An annual meeting shall be held in August for the purpose of hearing the annual report of the Director. The reports should include a summary of the year's work with accounts of the final Budget vs Actual report from the previous fiscal year, a budget for the following year, and other information.

## **K. Budgetary Meeting**

In January, the Finance Committee shall begin drafting budget documents for the following fiscal year. Board budgetary meeting shall be held in April for the purpose of reviewing the draft from the Finance Committee. Generally, the budget shall be adopted in May and finalized in August, in accordance with Illinois state statute.

## **L. Parliamentary Procedure**

*Robert's Rules of Order, Revised* shall govern the Board's parliamentary procedure.

## **M. Executive Session Policy**

1. Guidelines
  - a. The Board may choose to close a meeting to the public only if its members are discussing a topic that is listed in ILCS 120/2 of the Open Meetings Act
  - b. The board may invite members of the public body to attend the closed session based on their involvement in the matter to be discussed.
  - c. In accordance with statutory requirements, a verbatim recording must be kept of the closed/executive session and formal written meeting minutes consisting of a summary of the discussion held by the Board on items brought before the meeting.
  - d. To enter an executive session, the board must entertain a motion, and record the decision to enter the executive session, along with the permitted topic for entering (as defined by ILCS 120/2), in the general meeting minutes. In the verbatim recording, the board must take roll call, state date, and time for the opening of the meeting. To exit the executive session, the board must entertain a motion and state time.
  - e. The Board must not take any final action in a closed session. All actions must occur by formal vote after the Board has re-entered open session.
  - f. Closed session verbatim recordings and meeting minutes shall be kept in accordance with the Open Meetings Act. Closed session minutes shall be reviewed annually for release or retention.

## **N. Quorum**

A quorum at any Board Meeting shall consist of four Trustees. In the event that all Trustee seats are not filled, a quorum shall consist of at least 70% of the board.

## **O. Attendance**

Attendance - Trustees who miss four or more meetings may be asked to resign.

## **P. Trustee Vacancy**

The Board of Trustees shall declare a vacancy in the office of Trustee when an elected or appointed Trustee:

1. declines, fails or is unable to serve more than 6 meetings in one calendar year
2. becomes a nonresident of the District

3. is convicted of a misdemeanor by failing, neglecting or refusing to discharge any duty imposed upon him/her by the Illinois Public Library District Act of 1991
4. fails to pay the library taxes levied by this District

Before declaring a vacancy in the office of Trustee, the Trustee in question shall be notified in writing of the reason(s) why the Board of Trustees is considering declaring a vacancy in his/her office. The written notice shall be sent certified mail at least fifteen (15) days before the date of a proposed meeting when the reason(s) for declaring a vacancy shall be considered by the Board of Trustees. The Trustee in question may be represented by an attorney and shall be given an opportunity to be heard, produce witnesses and cross-examine witnesses at the meeting at which the vacancy of his/her office is to be considered by the Board of Trustees. Upon the affirmative vote of a majority of the Board of Trustees, a vacancy may be declared in the office of the Trustee for any one or more of the four (4) reasons set forth above. In the event a vacancy is declared in the office of Trustee, said vacancy shall be filled pursuant to the provisions of section 16/30-25 of Chapter 75 of the Illinois Compiled Statutes following an advertisement and search for a new trustee.

## **Q. Abstention**

A Trustee shall abstain from voting on a motion when they have a conflict of interest. Trustees are encouraged to be involved and vote on all other matters. Trustees are expected to make a substantial commitment of time and effort outside of Board meetings for the work of the Board. This includes becoming informed about the budget, state law, and the Library's needs.

## **R. Public Comment**

At each Board meeting, members of the public may comment subject to reasonable rules. Individuals appearing before the Board are expected to follow these rules:

1. Public Comment Rules
  - a. Address the Board only at the appropriate times as indicated on the agenda and when recognized by the Board President.
  - b. Identify oneself by full name and address. Oral comments shall be limited to five (5) minutes. Written comments should be 250 words or less.
  - c. The Board President may shorten or lengthen a person's opportunity to speak.
  - d. No more than twenty (20) minutes shall be allowed for public comment on each subject except with consent of the Board.
  - e. The Board President has authority to determine procedural matters regarding public comment not otherwise defined.

## **S. Standing and Special Committees**

Standing committees shall be appointed annually following the election and shall consist of up to three Trustees, one of whom serves as the chair of the committee, plus the Director. Special committees may be appointed by the President to present reports or recommendations to the Board and shall serve until the completion of the work for which they were appointed. The standing committees shall be: the Personnel Committee, the Policy Committee, the Facilities Committee, the Strategic Planning Committee, Finance Committee and the Technology Committee. Standing committees shall meet at least bi-annually. At any point,

the Board may choose to hold a Committee of the Whole meeting. The Library shall be the depository of all committee reports. All committees are subject to OMA.

1. Personnel Committee

- a. Shall consist of the President, Director and at least one other Trustee. The committee's responsibilities include, but are not limited to, preparation of the annual review of the Director for Board discussion prior to the formal review, assuming a leadership role in the resolution of any personnel conflict that cannot be resolved by the Director, assisting the Director in preparing a training and compliance plan for staff, Trustees, and volunteers, and overseeing an annual review of employee files to ensure records are kept in compliance with statute. The Director is responsible for the annual review of all other Library employees.

2. Policy Committee

- a. Shall consist of Trustees, one of whom serves as the chair of the committee, plus the Director. The primary responsibility of the committee is to develop and review Library policy, protocols, procedures and plans including, but not limited to, such as those in an emergent situation. This Policy shall include the division of responsibility between the Board and staff, and shall adhere to the "Library Bill of Rights" and the "Freedom to Read" statements of the American Library Association. The committee shall determine the Library regulations governing the use of the Library and review existing policies in a systematic fashion to ensure that all policies are reviewed at an interval not to exceed three years. As a result of such policy reviews, the committee will make recommendations regarding additions or changes to existing policy as well as deleting policies. Library Policies must be approved by the Board.

3. Facilities Committee

- a. Shall consist of Trustees, one of whom serves as the chair of the committee, plus the Director. The committee's responsibilities include but are not limited to, conducting an annual inspection of the Library's physical facility to identify areas which are in need of repair, review the comprehensive building plan, and make recommendations to the Board regarding repairs which are deemed necessary.

4. Finance Committee

- a. Shall consist of Trustees, one of whom serves as the chair of the committee, plus the Director. The committee's responsibilities include but are not limited to, conducting regular inspection of the Library's budget, finances, endowments and funds. And make recommendations to the Board regarding adjustments deemed necessary.

5. Strategic Planning Committee

- a. Shall consist of Trustees, one of whom serves as the chair of the committee, plus the Director. The committee's responsibilities include, but are not limited to, reviewing the strategic management plan, monitoring progress, recording goals, identifying problem areas, and bringing this information to the Board. The Committee will also have oversight of modifying the process of the Strategic Management Plan and assist the Director in the preparation of his or her annual statement of goals and objectives for the coming year.

6. Technology Committee

- a. Shall consist of Trustees, one of whom serves as the chair of the committee, plus the Director. The Committee's responsibilities include, but are not limited to, reviewing the Library's technology plan, strategy and reviewing significant technology investments and expenditures.

## **T. Duties of the Director**

The Director shall be the public face of the library in all regards, and administer the policies, procedures, protocols, and plans adopted by the Board. Among duties and responsibilities of the Director are ensuring compliance with federal, state, and local laws; hiring; directing, supervising and disciplining of all personnel; monthly and annual reports as required by the Board; and recommending such policy, procedure, protocols, and plans as will promote the efficiency and service of the Library.

## **U. Amendments**

Amendments to these Bylaws or any policy, procedure, or protocols may be proposed at any Regular Meeting of the Board, sent to the Policy Committee for analysis, and brought back to a quorum of the Board to be implemented if adopted.

## **V. Administrative Records**

Administrative records of the Library, including those available remotely, are the responsibility of the Director under the supervision of the Board and shall be kept in the Library or on Library-owned servers and drives and shall be available to the general public, according to applicable laws. These records include the monthly and annual reports of the Library, Board meeting packets which include financial reports, minutes of the previous meeting, actions, and other items provided by the Board or Director. Staff personnel records are confidential and shall be kept in a secure location. Confidential records of the Board, including the Director's personnel records, communications concerning the Director, and executive session recordings shall be kept in the Library, and only Trustees shall have access to these records. Minutes of executive sessions shall be reviewed annually and released, if appropriate, in accordance with OMA.

## **W. Board Communication Policy**

1. Policy Statement  
The Board speaks with one voice and has one employee, the Director.
2. Scope and Definition
  - a. The Director reports to the Board. Library employees report to the Director. The Board does not direct or manage the staff. This responsibility belongs to the Director.
  - b. The Board manages the values, beliefs, mission and vision of the organization. Goals are developed with the Director. The Director executes the goals for the organization. The Board does not manage the execution of the goals.
  - c. No decisions may be made by individual Trustees on the Board except through parliamentary procedure meetings. No Board member may withhold information from the rest of the Board.
  - d. Any concern a Board member has should be addressed through the President. No Board member should schedule meetings with the Director without the President's knowledge. Individual board member questions should be emailed to the President and CC'd to the Director, concerns will be reviewed and addressed at the next regular Board meeting.

- e. The Director should prepare a monthly report on the events and activities and potential issues in the Library to the Board in the monthly packet. Reporting should also include answers to questions posed to the Director.
- f. Packets for the Regular Board Meeting should be presented to the Board by the Thursday preceding the Regular Board meeting. The Director should be sure to include any requests for Board action in the committee portion of the agenda. The Board is responsible for reviewing the packet and communicating any questions of concerns to the President, CCing the Director, by noon on the Friday before the Regular Board Meeting. When responding to the question, the President and/or Director should restate the question and present the answer to the full Board by BCC.
- g. In the event of an emergent situation, the Director has latitude to handle the situation provided the Director notifies the President at the first possible convenience by phone after the event has occurred. Once the situation is no longer urgent, the Director will write a report of the incident and email it to the President and BCC the members of the Board.
- h. Committee chairs should keep the President informed on what they are working on. Committee meeting minutes will be included in the Board packet.