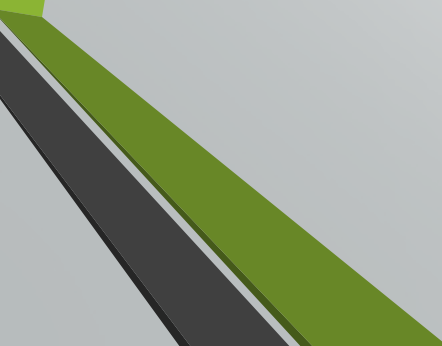




System Board Roles and Responsibilities

2020

John Thompson, System Director



IFLS– 1 of 16

System	2019 System Aid	Counties	Libraries	Square Miles	Population Served 2016
Arrowhead Library System	\$ 467,820	1	7	718	160,096
Bridges Library System	\$ 1,297,789	2	24	1,106	498,281
IFLS Library System	\$ 1,200,056	10	53	7,969	463,025
Kenosha County Library System	\$ 425,230	1	2	272	167,487
Lakeshores Library System	\$ 680,193	2	15	888	286,338
Manitowoc-Calumet Library System	\$ 332,902	2	6	907	117,660
Milwaukee County Federated Library System	\$ 2,855,319	1	15	241	949,885
Monarch Library System	\$ 1,140,891	4	31	2,051	419,579
Nicolet Federated Library System	\$ 1,140,645	8	14	5,490	432,678
Northern Waters Library Service	\$ 564,347	8	28	8,318	151,402
Outagamie Waupaca Library System	\$ 647,980	2	16	1,385	244,555
South Central Library System	\$ 2,199,966	7	54	5,617	835,668
Southwest Wisconsin Library System	\$ 387,543	5	28	370	128,745
Winding Rivers Library System	\$ 818,836	7	34	5,303	283,101
Winnefox Library System	\$ 944,892	5	30	2,585	328,402
Wisconsin Valley Library Service	\$ 908,691	7	25	7,606	282,176

Roles and Responsibilities of Library System Board

- As a library system trustee, you occupy a unique position in Wisconsin's pattern of library services. Perhaps most important of all, when you represent the library system, you need to consider not only your community or your county, but the entire region served by your library system and the many libraries and users of that region.

Roles and Responsibilities of Library System Board

- A public library system board of trustees has the same legal powers as a municipal library board with respect to system-wide functions and services that a municipal library board has with respect to local functions and services.
- Library system boards have significant responsibilities for fiscal policy making, fiscal planning, and fiscal oversight.
- Effective public library system trustees should be willing to assume a leadership role in legislative lobbying or advocacy at the state and federal level.
- Like your counterparts at other service levels, you are policy-makers. As a system trustee, however, you cannot make policies for any system member libraries. You should avoid any unnecessary interference with the autonomy of member libraries.

Roles and Responsibilities of Library System Board

- Library Trustee job description
 - Review and update board bylaws (reviewed 2019)
 - Assist with development and approval of long range plan
 - Advocate for the Library System and Libraries
 - Attend library conferences, workshops and other library education opportunities
 - Work as a team member in support of library system services
 - Provide input on library needs and interest to help guide services to meet member library needs

Roles of System Board and Director

	Board	Director
Board Meetings	Review Agenda before meeting	Prepare agenda with Board President
	Study background materials	Prepare background materials
	Know Open Meetings Law	Know Open Meetings Law
	Support Board Decisions	Support Board Decisions
	Approve Minutes	Maintain meeting records
	Be an active participant	Act as technical advisor
Planning	Approve Long Range Plan	Draft Long Range Plan
	Provide input on library needs	Solicit library input

Roles of System Board and Director

	Board	Director
Personnel	Hires/evaluates Director	Hires/evaluates staff
	Approves Wages	Recommends wages
Budget	Approves Budget	Drafts Budget
	Approves Expenditures	Expend Budget
	Approves Financial Report	Prepares Financial Report
Policy	Approves Policy	Reviews policy examples/samples and relevant laws prior to drafting policy
	Reviews Existing Policies	Reviews Existing Policies

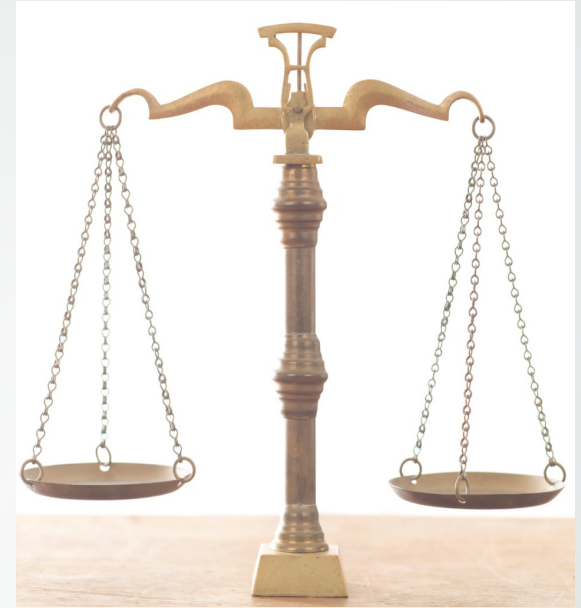
Roles of System Board and Director

	Board	Director
Advocacy	Supports the Library System and library issues	Informs the System Board on library issues and law
	Attend Library Legislative Day	Attend Library Legislative Day
	Attend candidate forums	Network with legislators
	Contact legislators via letters, emails or phone calls	
		Prepare/share talking points



Library Law

Overview



- Chapter 43 (Wisconsin Statutes about public libraries)
- Open Meeting Law
- Public Record Law
- Americans with Disabilities Act
- And more

Wisconsin Statutes

- Wisconsin Statutes are available in print and online in PDF format <http://legis.wisconsin.gov/rsb/Statutes.html>
- A searchable database is also available <http://legis.wisconsin.gov/rsb/stats.html>

Libraries--Chapter 43

- Sections pertaining to Public Libraries
 - 43.09 Certificates and Standards
 - Director certification authority (Rules in Administrative Code)
 - 43.11 County Library Planning Committees
 - Outlines the creation of a county wide library planning committee and their duties and powers
 - 43.12 County Payment for Library Services
 - More commonly known as ACT 150; details formula for home county and adjacent counties

Libraries--Chapter 43

- Sections pertaining to Public Libraries
 - 43.15 Standards for Public Library Systems
 - Population of system
 - Financial Support
 - Organization
 - Membership requirements
 - County
 - Local Library
 - 43.16 Resource Libraries
 - Usually largest library in system

Libraries--Chapter 43

- Sections pertaining to Public Libraries
 - 43.17 Public Library Systems; general provisions
 - Board Organization/Terms
 - Advisory Committee
 - 43.18 Withdrawal, abolition and expulsion
 - Outlines leaving a system
 - 43.19 Federated Public Library Systems
 - Size of board in multi county systems
 - IFLS 20 member board

Libraries--Chapter 43

- Sections pertaining to Public Libraries
 - 43.57 Consolidated County Libraries and County Library Services
 - 43.60 County Tax
 - Outlines exempting from County Library tax for municipality with a library

Libraries--Chapter 43

- Sections pertaining to Public Libraries
 - 43.30 Public Library Records (known as library privacy law)
 - Library Records are Confidential
 - Custodial Parent for children under the age of 16
 - Release to other libraries
 - Court order needed
 - Surveillance Device release for Law Enforcement if library requests or criminal conduct within library
 - Use of collection agencies or law enforcement is allowable with Library Board approved policy

Libraries--Chapter 43

- Sections pertaining to Public Libraries
 - 43.52 Municipal Libraries
 - Outlines starting a new library
 - Libraries shall be free for use
 - Opinion by Library Division on feasibility

Libraries--Chapter 43

- Sections pertaining to Public Libraries
 - 43.53 Joint Libraries
 - Created by 2 or more municipalities or county and one or more municipalities
 - Agreement Requirements
 - Fiscal Agent
 - Distribution of assets if dissolved
 - Library Board establishment

Libraries--Chapter 43

- Sections pertaining to Public Libraries
 - 43.54 Municipal Library Board Composition
 - Appointed by Mayor, Village President or Town Chairperson with approval of governing body
 - Composition
 - School District Administrator or their designee
 - Only one governing board member (not required)
 - Up to two may be residents of other municipalities

Libraries--Chapter 43

- Sections pertaining to Public Libraries
 - 43.54 Municipal Library Board Composition
 - Terms
 - Three year staggered
 - No term limit by library board (can be set by municipal board)
 - Size of Board
 - Village -- 5 (but can be increased to 7)
 - 2nd or 3rd Class City -- 9
 - 4th Class -- 7

Libraries--Chapter 43

- Sections pertaining to Public Libraries
 - 43.58 Powers and Duties
 - Exclusive control of all library expenditures
 - Supervising the administration of the library and appointing a library director
 - Prescribing the duties and compensation of all library employees
 - Purchasing of a library site and the erection of the library building when authorized
 - Exclusive control of all lands, buildings, money, and property acquired or leased by the municipality for library purposes

Libraries--Chapter 43

- Sections pertaining to Public Libraries
 - 43.60 County Appointments to municipal and joint public library boards
 - 1. If the annual sum appropriated by the county to the public library is equal to at least one-sixth, but less than one-third, of the annual sum appropriated to the public library by any municipality in which the public library is located during the preceding fiscal year, one additional member.
 - 2. If the annual sum appropriated by the county to the public library is equal to at least one-third, but less than one-half, of the annual sum appropriated to the public library by any municipality in which the public library is located, 2 additional members.
 - 3. If the annual sum appropriated by the county to the public library is equal to at least one-half, but less than two-thirds, of the annual sum appropriated to the public library by any municipality in which the public library is located, 3 additional members.
 - 4. If the annual sum appropriated by the county to the public library is equal to at least two-thirds, but less than the annual sum appropriated to the public library by any municipality in which the public library is located, 4 additional members.
 - 5. If the annual sum appropriated by the county to the public library is equal to at least the annual sum appropriated to the public library by any municipality in which the public library is located, 5 additional members.

Open Meeting Law

- Contained in Chapter 19 General duties of public officials
- Meeting notice posted at least 24 hours in advance
 - Provided to the official local newspaper
 - Any news organization requesting a copy
 - Posted in one or more public locations (usually three locations)
 - Library
 - City/Village/Town Hall

Open Meeting Law

- Agenda
 - Time, date, place and all subjects to be discussed or acted upon
 - Can't use "other business" as agenda item
- Held in Accessible Location
- Provide accommodations if requested
- Minutes must be kept and made available to public

Open Meeting Law

- Meeting Quorum
 - Majority of board
 - Purpose to engage in business
 - Email Quorum
 - Can't make decision or influence decisions via email
 - Use email to distribute agenda; not for discussion or poll
 - Negative Quorum
 - If 2/3 vote is needed then a block of members that meet/discuss outside a meeting to oppose an item

Open Meeting Law

- Closed Session – limited reasons to go into closed session
 - Listed in Statute 19.85
 - Consider Employment, promotion, compensation, or performance evaluation data of any employee
 - For specific individual not general wage increases, compensation, or personnel policies
 - Consider dismissal, demotion or discipline of employee
 - Employee can request discussion be in open session

Open Meeting Law

- Closed Session – limited reasons to go into closed session
 - Listed in Statute 19.85
 - Deliberate purchase of public property
 - Confer with legal counsel
 - Others reasons but most often don't apply to libraries

Open Meeting Law

- Agenda must indicate any contemplated closed session, subject matter of closed session and the specific provision
 - 19.85 (1)(c) (c) Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. *Conduct Library Director Evaluation*

Open Meeting Law

- Board must first convene in open session
- Announce intention to go into closed session
- Must state reason for going into closed session
- Requires a motion, second and roll call to go into closed session
- Attendance limited to board, necessary staff and others whose presence is needed

Open Meeting Law

- Discussion in closed session limited to stated agenda purpose
- Most if not all votes should be taken in open session
- Must notice that board will reconvene in open session.
- Legal penalties range from \$25 to \$300 per violation
- Actions can be voided if law violated

Public Records Law

- Must respond to requests
 - Don't have to be written requests
 - Can view or receive copies regardless of format
- Personnel Records
 - Balance test--public good versus privacy
 - Personal information like SS# can be removed
- Need record retention policy
- Staff Email
 - Personal emails not public per Supreme Court Ruling

Resources

- IFLS Trustee Resource Page <http://www.iflsweb.org/trustees>
- Tools and Resources for Public Library Directors and Board Members <http://dpi.wi.gov/pld/boards-directors>
- Trustee Essentials <http://dpi.wi.gov/pld/boards-directors/trustee-essentials-handbook>
- Wisconsin Policy Resources <http://dpi.wi.gov/pld/boards-directors/policy-resources>
- Wisconsin State Statute Chapter 43 Libraries <http://docs.legis.wisconsin.gov/statutes/statutes/43.pdf>
- Wisconsin Public Library Standards <http://dpi.wi.gov/pld/boards-directors/library-standards> (Sixth edition: March 2018)

Open Meeting Resources

- Chapter 19 General Duties of Public Officials
<http://legis.wisconsin.gov/statutes/Statoo19.pdf>
- Wisconsin Trustee Essential #14
<http://dpi.wi.gov/sites/default/files/imce/pld/pdf/TE14.pdf>
- DPI FAQ on Open Meetings <https://dpi.wi.gov/pld/boards-directors/administration/faq> and <http://dpi.wi.gov/pld/boards-directors/public-records/open-meetings-law>
- Department of Justice Compliance Guide
<https://www.doj.state.wi.us/sites/default/files/office-open-government/Resources/OML-GUIDE.pdf>
- League of Wisconsin Municipalities Governing Bodies: Open Meeting Law <http://www.lwm-info.org/957/Open-Meetings-Law>

Public Records Resources

- Trustee Essential #15
<http://dpi.wi.gov/sites/default/files/imce/pld/pdf/TE15.pdf>
- Frequently Asked Questions About Libraries and Wisconsin's Public Records Law <https://dpi.wi.gov/pld/boards-directors/administration/faq>
- Records Retention Schedule for Wisconsin Public Libraries
<http://dpi.wi.gov/pld/boards-directors/public-records/records-retention-schedule>
- Department of Justice Compliance Guide
<https://www.doj.state.wi.us/sites/default/files/office-open-government/Resources/PRL-GUIDE.pdf>
- League of Wisconsin Municipalities Public Records FAQ <http://www.lwm-info.org/1073/Public-Records>

Ethics Resources

- Trustee Essential #16
<http://dpi.wi.gov/sites/default/files/imce/pld/pdf/TE16.pdf>
- FAQ on Library Board Fines <https://dpi.wi.gov/pld/boards-directors/administration/faq>

Questions

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