



BY-LAWS
OF THE
BOARD OF TRUSTEES
OF THE
DEKALB PUBLIC LIBRARY

November 2019

Initially created 1990, Revised 2002, 2008, 2011, 2013, 2014, 2015, 2016, 2019

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Article I: Board of Trustees

Section 1: Governing Authority

The Board of Trustees of the DeKalb Public Library is charged with the responsibility for the governance of the Library.

Section 2: Establishment

The DeKalb Public Library is established and conducted as a municipal library under the Local Library Act (the “Act”), which is codified in 75 ILCS 5/1-0.1 et seq.), in compliance with the Open Meetings Act (5 ILCS 120/1, et seq.). The Library is established for the use and benefit of its eligible users, exercising the powers and authority and assuming the responsibilities delegated to it under the said statute. The Library is primarily financed by property taxes levied by the City of DeKalb and collected by DeKalb County on taxable property within the city, pursuant to statutes. These bylaws merely repeat the requirements of the statute for reference, and it is the intent of this Board that any future amendments to state statutes are incorporated herein by present reference to such statutes. All statutory references are to the Act unless indicated to the contrary.

Section 3: History of the DeKalb Public Library

On July 1, 1893, the City Council of DeKalb passed an ordinance establishing a public library. A room in the City Hall was used as the Library. In 1923, the Library was moved to the second floor of the local newspaper building. The Haish Memorial Library building, erected through the generous bequest of Jacob Haish, was completed in 1931. It was remodeled in 1968, and an addition was constructed in 1977. Space was reorganized and the building was refurbished in 1989-90. A major addition was undertaken in 2014-17 which provided upgrades in infrastructure and nearly tripled the size of the building.

Section 4: Library Mission

The DeKalb Public Library’s mission is Enrich, Inform, Entertain, Inspire.

Section 5: Responsibilities of the Library

A public library is one of the basic institutions of a democratic civilized society. It is the responsibility of the DeKalb Public Library:

- a. To select, organize, and make accessible to the people of the community printed and other materials that will contribute to the dissemination of knowledge, to formal education and informal self-education, to the profitable and pleasurable use of leisure time, and to the general enrichment of life.
- b. To include in the collection all appropriate media through which ideas or experience are transmitted for furthering understanding of the present, knowledge of the past, and concern for the future by including materials specifically designated for the needs of children, young people, and adults, chosen according to accepted standards of quality and value, representing different points of view and styles of writing, and following the Library Bill of Rights and the “Freedom to Read” statement of the American Library Association.
- c. To provide reader’s advisory, information, and reference services, and make the Library’s resources known through various activities.

- d. To provide adequate and efficient physical facilities where books and other materials may be used and enjoyed in a pleasant and comfortable environment conducive to their use.
- e. To offer programs, workshops, and lectures on topics of interest to children, teens, and adults.
- f. To be closely identified, as an institution and in terms of staff involvement, with the educational, cultural, and civic life of the community.

Article II: Membership and Duties of the Board

Section 1: Membership

The Board of Trustees consists of nine members who are appointed by the mayor and serve three-year terms as provided for under 75 ILCS 5/4-1.1.

- a. To qualify as a Trustee an individual must be at least 18 years of age and a resident of DeKalb.
- b. Board members are eligible to be reappointed at the expiration of their terms.
- c. To be effective, Board members must attend most meetings, read materials presented for review, and attend an occasional library-related workshop, seminar, or meeting.

Section 2: Ethics Statement

All Board members are required to file the Statement of Economic Interest as required by 5 ILCS 420/4A-101, et. seq.

Section 3: Compensation and Expenses

- a. Trustees shall serve without compensation.
- b. Trustees shall be reimbursed their actual and necessary expenses incurred in the performance of their Library duties from Library funds subject to the Travel Reimbursement Policy to comply with the Local Government Travel Expense Control Act (50 ILCS 150/1, et seq.).
- c. All trustees may request membership in the Illinois Library Association and the American Library Association upon request to the Board, and such membership fees shall be paid by the Library.
- d. Board members are not exempt from late fees, fines, or other user fees.

Section 4: Library Trustee Oath of Office

New Trustees shall be sworn in to service using the Board Member Oath of Office form (*Appendix 1*).

Section 5: New Trustees

- a. The Library Director shall meet with any new Trustee to examine the property and review services and shall present a packet to any new Trustee which includes Library policies and other procedural material, a list of

Trustees and Committees, and direct them to the location of minutes and financial reports for the previous 12 months.

- b. New Trustees shall complete any required training, including Open Meetings Act certification.

Section 6: Resignation or Removal from the Board

- a. Any Trustee may resign at any time by giving written notice to the President or Secretary. Such resignation shall be effective when the notice is delivered unless the notice specifies a future date; and, unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective. Upon receipt of such resignation, the President will notify the Mayor of the vacancy.
- b. The Board may request the resignation of any member who fails to attend three consecutive meetings or is absent four times in a calendar year.
- c. Vacancies in the office of Trustee shall be declared by the Board when an appointed Trustee declines or is unable to serve, or is convicted of a crime related to failing, neglecting, or refusing to discharge any duty imposed upon a Trustee by the Local Library Act, or becomes a nonresident of the City of DeKalb, or who fails to pay the library taxes levied by the City of DeKalb.

Section 7: Conflict of Interest

- a. Any conflict of interest on the part of any Trustee shall be disclosed to the Board when the interest becomes a matter of Board action.
- b. Any Trustee having a conflict of interest shall not vote or use his personal influence on the matter, and shall not be counted in determining the quorum for the meeting for that vote. The minutes of the meeting shall reflect that a disclosure was made, the abstention from voting, and the quorum situation. Any new Trustee will be advised of this policy upon assuming the duties of office.
- c. Trustees will not engage in economic activity that involves the use or sale of information gained in the course of official duties.
- d. Trustees shall comply with all applicable conflict of interest laws including, but not limited to, all applicable provisions of the State Officials and Employees Ethics Act (5 ILCS 430/1-1 et seq.).

Section 8: Duties of Board

The Board of Trustees of the DeKalb Public Library shall establish, support, and maintain the DeKalb Public Library for the provision of library service to meet the needs of the DeKalb community. The Board shall:

- a. Serve as the policy-making body for the Library, including the creation and adaptation of bylaws, rules, and regulations for its own guidance and for the governance of the Library, including Library policies.
- b. Secure adequate funds for Library operations, prepare and administer the Library budget, control the expenditure or all moneys collected for the Library and deposited to the credit of the Library fund including bequests, and generally be responsible for the Library's finances.
- c. Provide and maintain adequate facilities, including purchase or sale of real property, remodeling, and care of the Library's physical property.

- d. Appoint and fix the compensation of a qualified Library Director, perform annual performance and compensation reviews, and provide guidance. The Library Director shall have authority to hire such other employees as may be necessary.
- e. Advocate for and promote the Library to the community and legislature.

Article III: Board of Trustees Meetings

Section 1: Meetings of the Board

- a. There shall be regular monthly meetings of the Board of Trustees held in the Library on the second Wednesday at 7:00 p.m. unless otherwise specified.
- b. The Director shall provide an agenda for all meetings of the Board in consultation with the President. Any Board member who wishes to have an item placed on the agenda shall call the Director not later than the Wednesday immediately preceding the meeting.
- c. Meetings of the Board and Committees shall be open to the public. Notice and the agenda for meetings shall be posted in accordance with the Open Meetings Act.
- d. Prior to the beginning of each fiscal year, the board shall, by ordinance, specify regular meeting dates and times for the upcoming year. The secretary of the board shall then provide for the local newspaper the schedule of regular meetings of the board for the ensuing fiscal year, and post the schedule of meetings in the Library and on the library's website with dates, times, and places of such meetings.
- e. Special meetings of the Board may be called by the President or by the Director or by any three members of the Board. No business except that stated in the notice and agenda shall be transacted.
- f. The Board may hold meetings in closed session to discuss matters permitted under the Illinois Open Meetings Act. Notice of a closed session shall be provided on the published agenda of a Board meeting, and a motion to move into closed session citing the specific exemption(s) of the Open Meetings Act shall be acted on by roll call vote of the Board, which shall be recorded into the minutes of the meeting.

Section 2: Quorum

- a. A majority of the members of the Board or Board Committee shall constitute a quorum for the transaction of business. Absent a quorum, the Board shall not meet, hold discussions of, nor vote on Board business.
- b. Members participating electronically do not contribute to the number of members present for the purposes of forming a quorum. Absent a quorum of physically present members of the Board, any meeting shall be adjourned until a quorum shall be present.

Section 3: Electronic Participation

- a. The DeKalb Public Library Board of Trustees complies with the Illinois Open Meetings Act and allows for remote participation in board meetings by board members for the following OMA-allowed reasons: (i) personal illness or disability; (ii) employment purposes or the business of the Library; or (iii) a family or other emergency..
- b. Remote participation is not allowed for board members who are not present due to vacations.

- c. The request to attend remotely should come to the Library at a minimum of 24 hours in advance of the meeting. The board will vote to authorize the remote attendance at the start of the meeting. Voting by the remote attendee will be allowed.

Section 4: Voting

- a. A motion is not before the Board until it has been seconded. A motion may be withdrawn by the proposer at any time before a vote is called. An amendment to modify an original motion shall be in order, but no amendment shall be made that changes the intent of the original motion. The President or other presiding officer shall be permitted to vote.
- b. A simple majority of votes from members present who vote “aye” or “nay” shall be necessary to carry a motion, unless otherwise provided by statute or bylaw. A roll call vote shall be required on resolutions, on any matter creating a liability or expenditure, or upon request of any Trustee.
- c. If a Trustee has a conflict of interest, that Trustee shall not participate in the deliberation of nor vote on the matter. The minutes of the meeting shall reflect that a disclosure was made and the abstention from voting.
- d. Any expenditure of funds shall be approved by a roll call vote.

Section 5: Parliamentary Authority

Library Board meetings shall be conducted according to parliamentary procedure.

Section 6: Conduct

The President is empowered to preserve order and decorum and to decide questions of order. In the case of disturbance or disorderly conduct, the President is authorized to remove the offenders, clear the Board room of all spectators, or suspend/adjourn the meeting.

Section 7: Minutes

- a. The approved minutes of all regular, closed, and special Board meetings and Committee meetings shall be posted on the Library website.
- b. Minutes of all regular and special Board meetings, and all Board Committee meetings shall be approved at the next regular meeting of the Board or Board Committee.
- c. The minutes of a closed session of the Board shall be reviewed at the next scheduled closed session, and approved in the open session that immediately follows. Twice yearly the Board shall review and then vote on which closed session minutes, if any, shall be made available for inspection.
- d. Closed sessions shall be recorded by an audio recording device, and the recordings kept along with the minutes as directed by the Open Meetings Act.

Section 8: Fiscal Year

The fiscal year shall begin on January 1 and end on December 31.

Article IV: Officers

Section 1: Officers

- a. The officers of the Board shall be a President, Vice-President, Secretary, and Treasurer.
- b. Officers are to be elected every two years (in the even years) at the September meeting. All Board members who have served for a minimum of one year at the time of the election are eligible to serve as officers.
- c. In the event of a resignation from office, an election to fill the unexpired term of that office will be conducted at the next regular meeting.
- d. All officers shall hold offices for two years or until their successors are elected. Officers assume their new role immediately following the adjournment of the meeting in which they were elected.

Section 2: Elections

The election process shall occur as follows:

- a. At the August Meeting of the election year the President shall include on the agenda a notice of the upcoming election of officers and the Recording Secretary shall prepare and distribute a listing of all members eligible to serve as officers.
- b. Prior to the September meeting of the election year Board members shall inform the Recording Secretary of their self-nomination or the nominations of others as Board officers. The names of all eligible members nominated for offices shall be included on a ballot distributed with the agenda of the September meeting. No second to a nomination is needed, although nominees must consent to serve.
- c. Elections shall be conducted by either secret ballot or voice vote as determined by the Board.
- d. All members of the Board are eligible to vote for Board officers.

Section 3: Duties of Board Officers

- a. President: The President shall preside over 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 acts as the primary spokesperson for the Library in the community, and shall represent the Library as needed. The President shall not have or exercise veto powers.
- b. Vice President: The Vice President, in the absence of the President, shall assume all duties of the President. The Vice President shall also serve as a designee for the Open Meetings Act.
- c. Secretary: The Secretary shall keep minutes of all Board meetings, record attendance, and record a roll call on all votes (except when a ballot vote is taken). The Secretary has the responsibility to see that adequate minutes are maintained as a public record. The Secretary certifies documents on behalf of the Board, including levy requests, grant applications, and annual reports. The Library Director may designate a staff member to act as Recording Secretary at Board and committee meetings.

- d. Treasurer: The Treasurer shall see that accounts and records of the Library are kept and maintained; including a record of all receipts, disbursements, and balances in any funds. The treasurer is authorized by the Board to draw up and sign checks. 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 and according to statute requirement.

Article V: Committees

Section 1: Standing Committees

- a. There shall be the following standing committees: Executive, By-Laws, Finance, Personnel, and Policy. Other committees shall be created as needed.
- b. All committees shall consist of three or more members and the Library Director, and shall be appointed annually, with vacancies filled by the President when necessary.
- c. 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.
- d. The Library shall be the depository of all committee reports.

Section 2: Executive Committee

- a. The Executive Committee shall consist of the President, Vice-President and Treasurer.
- b. This committee shall meet as necessary to prepare issues to be presented to the full Board and/or to make emergency decisions on behalf of the Board when it is not possible to assemble a quorum of the Board.
- c. The Executive committee shall have no power other than emergency action or other powers that the full Board may delegate to it from time to time.

Section 3: By-Laws Committee

- a. The By-Laws Committee shall consist of the Vice President and two other appointed Board members.
- b. This Committee shall receive, consider, and put into proper parliamentary form all proposed amendments to the by-laws and submit the same to the Board for approval.
- c. The Committee shall review the by-laws at least once every three years and revise when necessary.

Section 4: Finance Committee

- a. The Finance Committee shall consist of the President, Secretary, and Treasurer.
- b. The Finance Committee's responsibilities include, but are not limited to, drafting a preliminary Budget or Budget for full board approval, drafting a Levy for full Board approval, drafting a working budget for full Board approval, monitoring Library investments, and implementing the Library's investment policy.

Section 5: Policy Committee

- a. The Policy Committee shall consist of three appointed Board members.
- b. The primary responsibility of the Policy Committee is to develop the Library policies.
- c. Library policies shall adhere to the “Library Bill of Rights” and the “Freedom to Read” statements of the American Library Association.
- d. The committee shall determine the Library regulations governing the use of the Library and review sections of existing policy in a systematic fashion to ensure that all policy is reviewed at an interval not to exceed three years with the exception of those policies otherwise regulated by law. As a result of such policy reviews, the Policy Committee will make recommendations regarding additions or changes to existing policy as well as deleting policies which are no longer appropriate or of value.
- e. All Library policies must be approved by Board vote and made readily available to the public.

Section 6: Personnel Committee

- a. The Personnel Committee shall consist of the President and two appointed Board members and the Library Director.
- b. The Personnel Committee’s responsibilities include the annual review of the Library Director, assisting the Library Director preparing an annual statement of goals and objectives for the coming year, and assuming a leadership role in the resolution of any personnel conflict that cannot be resolved by the Library Director.
- c. The Library Director is responsible for the annual review of all other Library employees.

Section 7: Library Director Search Committee

- a. When the position of Library Director falls vacant, the Board shall immediately select an acting director for the interim and establish a Library Director Search Committee, which shall consist of the President and two members elected from the Board.
- b. Applications for the position of Library Director shall be filed at the Library and available to all Board members.
- c. The Search Committee shall report the results of applications and interviews to the Board.
- d. Five votes shall be required for the Board to hire a Library Director, after which the Search Committee is dissolved.

Section 8: Gift Committee

- a. The Gift Committee shall be comprised of the President and Treasurer of the Library’s Board of Trustees, and the Library Director.

- b. The Gift Committee shall review the potential acceptance or refusal of any gift pursuant to the terms and conditions of the Library Gift Policy.
- c. The Gift Committee shall determine a recommended course of action and shall advise the Board of Trustees based on its consideration.
- d. The Gift Committee may engage legal and/or financial counsel as needed.

Article VI: Duties of the Director

The Library Director is hired by the Board of Trustees. The Library Director shall:

- a. Serve as chief executive for the Library and be responsible for the administration of the Library under the policies approved by the Board of Trustees.
- b. Be directly responsible to the Board and, through the Board, to the community.
- c. Be responsible for the administration of the budget as set forth by the Board of Trustees.
- d. Attend all meetings of the Board. The Library Director provides information and their professional opinion on all subjects under discussion but has no vote.
- e. Appoint or act as Recording Secretary at Board and Committee meetings and keep an accurate record of all proceedings. Under the direction of the President, conduct all correspondence and keep a record of same.
- f. Be responsible for selection and purchase of Library materials according to Library policies.
- g. Be responsible for the selection, review, and retention of all other Library employees.
- h. Recommend such policy and procedure as will promote the efficiency and service of the Library.
- i. Make financial decisions of amounts less than \$5000 on behalf of the Library, and sign checks up to the amount of \$1000. Checks over \$1000 must be signed by two Board officers and/or the Library Director.
- j. The Board may request the resignation of any Director who is absent from regular board meetings six times in a calendar year.

Article VII: Records

Section 1: Administrative Records

- a. All records and accounts of the Library and of the Board shall be kept in the Library Administration office in the custody of the Library Director. All such records and accounts shall be open to the inspection and use of all of the members of the Board at all reasonable times.
- b. Such records shall include the financial reports, the minutes of all meetings, and all other pertinent written matter as affect the operation of the Library.

- c. Subject to the Freedom of Information Act (5 ILCS 140/1, et seq.), the minutes of the Board shall be available to the public during normal business hours and confidential records of the Board, such as personnel records concerning the Library Director, shall be kept in the Library, and only members of the Board shall have access to these records.
- d.
, Staff personnel records are confidential and shall be kept in a secure place, and only the Library Director or authorized persons shall have access to these records.

Section 2: Circulation Records

- a. Circulation records and other records identifying the names of Library users with specific materials hereby are recognized as confidential in nature, and access thereto is hereby restricted to Library staff and those members of the public with a legitimate interest therein, as hereafter provided for.
- b. All Library staff and employees are hereby advised that such records shall not be made available to casual members of the public, the press, or to any agency of State, Federal, or Local government, except pursuant to such process, order, or subpoena as may be authorized under the authority of and pursuant to Federal or State law relating to civil, criminal, or administrative discovery procedures or legislative investigative power.
- c. Library staff shall observe the following procedures: On receipt of any legal process, order, or subpoena, the Library staff member in charge will immediately consult with the Director, who will contact the President of the Board and the Library Attorney to ensure that (a) the document is in proper legal form, and (b) there has been a proper showing of good cause for its issuance in a court or administrative body of competent jurisdiction. Until the legality of such process, order, or subpoena has been affirmatively shown to the satisfaction of the Library Attorney, the Library will resist its issuance or enforcement until any such defects have been cured.

Article VIII: Amendments

- a. The By-Laws may be altered, repealed, revised or amended by the majority vote of the whole Board.
- b. Amendments to these bylaws, Library policies, or any other policy or procedural document may be proposed at any regular meeting of the Board, but no amendment shall be acted upon until the next regular meeting of the Board after the amendment shall have been proposed.
- c. Amendments will become effective if and as adopted by the Board.

APPENDIX 1: Board Member Oath of Office

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Illinois, and that I will faithfully discharge the duties of the office of Library Trustee according to the best of my ability.

Signature of Person Making Oath

Date

Signature of Persons Administering Oath

Date

PLEASE PROVIDE THE FOLLOWING INFORMATION:

Governmental Unit

Office and Term

Elected Official's Name

Address (House Number and Street or Road Name)

City and Zip

Home Phone

Work Phone (if applicable)

This information will be filed with the county clerk and the Illinois State Librarian pursuant to 75 ILCS 16/30-40 and 75 ILCS 5/4-6 and made available when inquiries are made by the public concerning local government officials.