



# BERWYN PUBLIC LIBRARY

## BOARD OF TRUSTEE BY-LAWS

### ARTICLE I – GENERAL

#### **Section 1 – Legal Basis and Authority**

The Berwyn Library Board of Trustees is established in accordance with the Illinois Compiled Statutes ([75 ILCS 5/4](#)). The Board exercises, as an exclusive right, the approval and authority over all duties and powers authorized by law of the State of Illinois.

This Library shall be governed by a Board of nine trustees appointed in accordance with Illinois State Library Law and City of Berwyn Ordinances. Terms shall be three years each with reappointment at the mayor's discretion for an additional three year term. The Trustee shall receive 30 days notification prior to their termination.

#### **Section 2 – Authority of Individual**

Board members have authority only when acting as a Board in legal session. No member of the Board shall at any time act or purport to act on behalf of, or in the name of, the Board, except when such statement or action is in pursuance of specific instruction of the Board.

#### **Section 3 – Authority to Conduct Business**

No business shall be conducted by the Board except at a regularly scheduled meeting, executive session, special meeting or committee meeting. Meetings will be scheduled and conducted in accordance with the Illinois Open Meetings Act and the Americans with Disabilities Act.

#### **Section 4 – Duties and Responsibilities of the Board**

The Board's responsibility is to provide vision and direction that result in excellent library services to the residents of Berwyn. To this end, the Board will:

- Determine the mission of the Berwyn Public Library;
- Establish long-range goals;
- Employ a qualified director to manage library operations and evaluate the performance of the director annually;



- In conjunction with the Library Director, develop and approve the annual budget proposal to be submitted to the City for the ensuing year and advocate for necessary funding to provide services;
- In conjunction with qualified library staff, develop and approve policies that result in effective and efficient operation of the Library;
- Authorize expenditures in the implementation of services and programs;
- Participate in training activities on current and emerging issues in library service and legislative action affecting libraries;
- Communicate with governmental officials and the general public.

### **Section 5 – Ethical Conduct**

The Board endorses the American Library Association Ethics Statement for Public Library Trustees and agrees to abide by its provisions.

### **Section 6 – Board Continuity**

The Berwyn Library Board recognizes that it is a continuing body and assumes all policies, regulations and rules of the preceding Board and continues them in effect until such time as they are revised or rescinded.

## **ARTICLE II – BOARD ORGANIZATION**

### **Section 1 – Elected Officers**

The officers of the Board shall be a President, Vice-President, Secretary and Treasurer. Each officer shall be elected for a term of two (2) years. No person may stand for election to the same office without an intervening term having transpired except by unanimous consent of the Board.

### **Section 2 – Duties of Officers**

All officers shall perform such duties as are normally associated with their office or as may be assigned by the Board. Specifically:

- A. President shall preside at all Board meetings and appoint all standing or special committees.
- B. Vice-President shall perform the duties of the President in the absence of the President, or the President's inability to act. In the absence of the President and Vice President, the Board shall appoint a president pro tem.
- C. Secretary shall maintain records in compliance with the Illinois Open Meetings Act and assume responsibility for archiving such materials.
- D. Treasurer shall review all payment vouchers, chair the Finance Committee and maintain the Board fund.

### **Section 3 – Executive Committee**

The officers of the Board shall constitute an Executive Committee, which shall act on behalf of and at the direction of the Board between meetings. Actions of the Executive Committee will be subject to ratification by the Board at its next meeting.

### **Section 4 – Elections**

In the month of June in each even-numbered year, ~~a Nominating Committee shall be appointed at the regular May meeting with the election to take place at the time of the Organizational Meeting in June. the Library Board will nominate and vote on new officers.~~ Notices of the June meeting shall announce the election. In the event a Board member leaves the Board prior to the completion of their term, a special election may be held at the next meeting to fill the vacancy according the Roberts Rules of Order.

### **Section 5 – Board Consultants**

The Board may appoint an attorney and/or any other consultant as the Board deems necessary, in accordance with regular and customary regulations of the City of Berwyn. These appointees shall serve at the behest of the Board.

## **ARTICLE III – MEETINGS**

### **Section 1 – Notice of Meetings**

The calendar of regular Board meeting dates is set annually.

Notice and conduct of all Board and committee meetings shall comply with the provisions of the Illinois Open Meetings Act and the Americans with Disabilities Act. All meeting notices will be posted as required by law ([5 ILCS 120/2/02](#))

### **Section 2 – Special Meetings**

Special meetings of the Berwyn Library Board may be called by the President, or by any three (3) members of the Board by giving notice thereof, in writing, stating the date, time, place and purpose of the special meeting. Notice shall be personally delivered to all Board Members forty-eight (48) hours prior to the meeting and shall be posted. All meeting notices will be posted as required by law ([5 ILCS 120/2/02](#))

### **Section 3 – Preparation for Meetings**

The agenda for the meeting shall be the mutual responsibility of the Library Director and the President. Board Members may introduce agenda items through the Board President or Library Director prior to the preparation of the written agenda (usually one [1] week prior to the scheduled monthly meeting).

#### **Section 4 – Quorum Requirements**

A quorum is a majority of the total number of members appointed to the Board.

A quorum must be physically present not only to begin a meeting, but also at the time the vote is taken on a proposition. If a quorum is not present, the meeting must be suspended.

#### **Section 5 – Order of Business**

The Order of Business normally shall be as follows:

1. Call to Order & Roll Call
2. Approval Of meeting minutes
3. Open Forum
4. Director’s Report
5. Committee Reports
6. Unfinished Business
7. Closed Session as needed
8. Adjournment

Members of the public may address the Board during the Open Forum session. Individuals are expected to identify themselves by full name. Public comments must pertain to an item on the agenda or to an issue that is relevant to the Board’s work. Comments by members of the public will be limited to three (3) minutes. The President of the Board of Trustees retains the right to stop any speaker who raises issues that are not on the agenda or are not relevant to the duties of the Board.

#### **Section 6 – Parliamentary Procedures**

Robert’s Rules of Order (Revised) shall govern the procedure in conducting all meetings of the Board, unless in conflict with the laws of the State of Illinois.

#### **Section 7 -- Closed Session**

Participation in Closed Sessions of Regular or Special meetings shall be limited to members of the Board. Invitation to participate may be extended to other individuals for any reason, but must be named in the motion to convene the closed session.

#### **Section 8 – Biennial Organizational Meeting**

A biennial Organizational Meeting of the Board shall be held in June during even numbered years. Preparation will begin in May with the distribution of a Board self-assessment instrument.

In even-numbered years, the June meeting will include the election of officers. The Old Board then will adjourn and the New Board will reconvene to conduct the reorganization.

### **Section 9 – Remote meeting participation**

Per the Open Meetings Act provisions, members may attend meeting remotely provided a physical quorum is present if a member is prevented from physically attending because of:

1. Personal illness or disability
2. Employment purposes or the business of the public body
3. Family or other emergency

The remote member must notify the Board President of his or her physical absence in advance, unless impractical, and a majority of the Board then approves allowing the remote member's participation by video or audio conference. ([ILCS 120/7](#))

### **Section 10 – Annual Report**

The Director will collaborate with an ad-hoc Annual Report Committee to produce an annual report that will be presented to the Mayor and City Council as well as made available to all Berwyn residents.

### **Section 11 – Member Absences**

The Board depends on members' active participation. Members are expected to attend regular meetings, and they should notify the President or Director in advance of any meeting they are unable to attend.

If a Board member does not wish to continue serving, a written resignation should be sent to the Mayor and President of the Board.

The Board shall set policy regarding absences.

Whenever any Trustee dies, becomes mentally incapacitated, ceases to be a legal voter in the district, is convicted of a crime, refuses or neglects to take oath of office, or refuses or neglects to perform the duties of office, or attend three regularly scheduled Board meetings, or for any other reason specified by law, then the office of said Trustee may be declared vacant by the Board. The Board will request that the vacancy be filled by appointment within thirty (30) days and submitted for ratification.

## **ARTICLE IV – COMMITTEES**

### **Section 1 – Standing Committees**

There shall be four (4) standing committees. Their terms of service shall be for one (1) year and/or until their successors are appointed. Standing committees shall include:

- A. Finance Committee which shall present a report of the Library's bank accounts to the Board and, with the Library Director, develop an annual budget for presentation to the City.
- B. Policy and Personnel Committee which shall include the Library Director as an ex-officio member. The Committee shall review, propose or amend any policies pertaining to the administration of the Library.
- C. Building, Grounds and Furnishings Committee which shall be responsible for the oversight of repair, alteration and furnishing of the building and maintenance of the grounds.
- D. Art Committee which shall be responsible for enhancing the visual literacy and enriching the lives of the community.

### **Section 2 – Special Committees**

Special committees may be formed as needed and appointed by the President. Special committees, such as the Veverka Committee, shall serve until the completion of the work for which they were appointed.

### **Section 3 – Terms of Service**

Committees shall be constituted and priorities established at the biennial Board Organizational Meeting.

The action of all committees shall be subject to Board approval or authorization.

### **Section 4 –Committee Advisors**

Members of the community at large will be invited to participate in Board committees in an advisory capacity. Any Board member may nominate city residents, and a simple majority of members must ratify these citizen advisors. Each advisor will be paired with a sitting committee member for orientation.

Community resident terms of service will not exceed 12 months, renewable by majority vote. Continued service will be at the behest of the Board.

## **ARTICLE V – LIBRARY ADMINISTRATION**

### **Section 1 – Library Director**

The Library Director shall have sole responsibility of the administration of the Library under the direction of the Board. The Library Director shall be responsible for overseeing the daily maintenance of the building and equipment, the efficiency of the Library's service to the public, and care and operation of the Library under the financial conditions set forth in the annual budget.

### **Section 2 – Personnel**

The Director shall be responsible for hiring, directing, supervising and disciplining of all staff members in accordance with City of Berwyn human resource protocol and AFSME.

### **Section 3 – Bids**

The Library Director, acting under the direction of the Board, is the only authorized person to order supplies, materials and equipment or to initiate bid processes.

All purchase of goods, materials and services shall be in accordance with the amount authorized by city ordinance.

### **Section 4 – Board Attendance**

The Library Director shall attend Board meetings and present for the Board's approval a monthly report of progress of the Library, bills incurred and a statement of receipts and expenditures from fines and damages.

## **ARTICLE VI – ADMINISTRATIVE RECORDS**

### **Section 1 – Record Retention**

Administrative records of the Library shall be kept and shall be available to the public upon request. These shall include monthly and annual reports of the Library, all financial reports, minutes of public Board meetings and actions and other items as the Board or Library Director shall file there.

### **Section 2 – Confidentiality**

Circulation records and other records identifying the names of Library users with specific materials are hereby recognized as confidential. Access is not to be granted to the public, the press or any agency of state, federal or local government except pursuant to process, order or subpoena authorized under the authority of federal or state law relating to civil, criminal or administrative discover procedures or legislative investigative power.

## **ARTICLE VII – AMENDMENTS**

### **Section 1 – Amendments**

These By-Laws may be altered, amended or repealed by a majority vote of the Board at a regular meeting. Any alterations or additions shall be effective at the time of a majority vote of the Board.

These by-laws are to be reviewed annually in January by the full Board of the Library

Revised June, 1995

Revised November, 1999

Revised December, 2003

Revised October, 2005

Revised June, 2007

Revised October, 2013

Revised and approved August, 2019

Revised June 21, 2021

Revised May 16, 2022

Revised June 21, 2022