

Rogers Free Library Board of Trustees Proposed Bylaw Change
April 20, 2023

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Section 3. Disqualification and Vacancies

(Current language)

Upon the death or resignation of a Trustee, or if a member shall move out of the Town of Bristol, the Chairperson shall notify the Bristol Town Clerk of the vacancy, and by direction of the Board, shall suggest a name (or names) to the Town Council of persons who are qualified to fill the position. The Board of Trustees will actively recruit new members in an effort to reflect the diverse nature of the Town of Bristol.

(Nothing deleted, proposed new language indicated in bold italics)

Upon the death or resignation of a Trustee, or if a member shall move out of the Town of Bristol, the Chairperson shall notify the Bristol Town Clerk of the vacancy. ***The Board of Trustees may conduct interviews and make a recommendation to the Council, and shall forward the names of all interested applicants to the Town Council for consideration.*** The Board of Trustees will actively recruit new members in an effort to reflect the diverse nature of the Town of Bristol.

TOWN CLERK'S OFFICE
BRISTOL, RHODE ISLAND
2023 MAY - 3 PM 2:07

TOWN COUNCIL
MAY 10 2023
MEETING

BYLAWS OF THE ROGERS FREE LIBRARY

A Municipal Library in the Town of Bristol, RI

**525 Hope Street
Bristol, Rhode Island**



ROGERS FREE LIBRARY ADDITION

Revised 2006, Approved 2007

Revised November 2017

Approved December 2017

Revised November 2019

Approved January 2020

Revised April 2023

Bylaws of the Rogers Free Library Board of Trustees

ARTICLE I NAME AND AUTHORIZATION

Section 1. Name.

This entity shall be called "The Board of Trustees of Rogers Free Library."

ARTICLE II PURPOSE

The Trustees shall ensure prudent use of all assets, including facilities, people and good will; and provide oversight for activities that advance Rogers Free Library's effectiveness and sustainability. Trustees shall make decisions in the best interest of Rogers Free Library and not in his or her self-interest. Further, a Trustee shall endeavor that Rogers Free Library obeys all applicable laws and acts in accordance with ethical practices; and that Rogers Free Library adheres to its stated purposes and that its activities advance its mission.

ARTICLE III BOARD OF TRUSTEES

Section 1. Number and Qualifications

The governing body of the Library is composed of seven (7) Trustees appointed by the Bristol Town Council on the recommendation of the Trustees themselves.

Section 2. Term of Office

The term of office of Trustees shall be for a period of three years. Existing Trustees will be divided into three lots with two trustees serving for one year, two trustees serving for two years, and the remaining three Trustees serving for three years. All newly appointed Trustees shall serve for a period of three years. Since the number of terms a Trustee can serve is not mentioned either by statute or by law, Trustees may be reappointed for a second term of three years.

Section 3. Disqualification and Vacancies

Upon the death or resignation of a Trustee, or if a member shall move out of the Town of Bristol, the Chairperson shall notify the Bristol Town Clerk of the vacancy. The Board of Trustees may conduct interviews and make a recommendation to the Council, and shall forward the names of all interested applicants to the Town Council for consideration. The Board of Trustees will actively recruit new members in an effort to reflect the diverse nature of the Town of Bristol.

Section 4. Officers

Officers of the Board of Trustees shall be a Chairperson, Vice Chairperson, Secretary, and Treasurer. Officers shall be elected at the regular Annual meeting. Vacancies in office shall be filled by vote at the next regular meeting of the Trustees after a vacancy occurs; then that selection is forwarded to the Bristol Town Council for approval.

Duties of the officers are as follows:

- a. The Chairperson shall preside at meetings and perform such other duties as custom and law devolve upon him/her. Duties assigned to the Chair by the Strategic Plan/Implementation Plan shall take priority.
- b. The Vice Chairperson shall assume the duties of the Chairperson in the event of the absence or disability of the Chairperson.
- c. The Secretary shall keep an accurate record of all proceedings of the Board meetings and file them for public inspection.
- d. The Treasurer shall receive periodic reports from the Director of the Library, reflecting the financial wellbeing and budget status of the Library, and shall share that information with the Trustees at each regularly scheduled meeting.

Said officers shall also carry out such other duties as designated from time to time by the Board of Trustees.

ARTICLE IV ROLES AND RESPONSIBILITIES OF TRUSTEES

The affairs of Rogers Free Library shall be overseen by the Board of Trustees. Each Trustee of the Rogers Free Library holds the public trust for the citizens and taxpayers of the Town of Bristol. Fulfilling the roles and responsibilities of a Trustee in a responsible manner is of the utmost importance. In addition to attending Trustee meetings, the Trustees of this library agree to fulfill the following responsibilities:

1. **LIBRARY AWARENESS**
 - Determine and adopt written policies to govern operations, programs, books and materials selection
 - Know programs and needs
 - Establish, support, and participate in public relations programs
 - Know state and local laws that pertain to libraries
 - Report regularly to governing officials and the public
2. **SECURING FINANCIAL SUPPORT FOR THE LIBRARY**
 - Assist in the preparation of the annual budget
 - Work to secure adequate funding for the library
3. **HIRING A DIRECTOR**
 - Employ competent directors and oversee the update of job descriptions
4. **ENCOURAGING THE CONTINUED GROWTH AND DEVELOPMENT OF STAFF**

Further, it is the responsibility of the Trustees of Rogers Free Library to abide by the Code of Ethics mandated by the State of Rhode Island. Each Trustee will complete an Annual Report that will be mailed to him/her.

From the Rhode Island Constitution

Article III, Section 7 – Ethical conduct.

The people of the State of Rhode Island believe that public officials and employees must adhere to the highest standards of ethical conduct, respect the public trust and the rights of all persons, be open, accountable and responsive, avoid the appearance of impropriety and not use their position for private gain or advantage. Such persons shall hold their positions during good behavior.

R.I. Gen. Laws § 36-14-1 Declaration of Policy.

It is the policy of the state of Rhode Island that public officials and employees must adhere to the highest standards of ethical conduct, respect the public trust and the rights of all persons, be open, accountable and responsive, avoid the appearance of impropriety, and not use their position for private gain or advantage.

R.I. Gen. Laws § 36-14-3 Code of Ethics.

Sections 36-14-4 through 36-14-7 of this chapter shall constitute the Rhode Island Code of Ethics in government.

R.I. Gen. Laws § 36-14-4 Persons subject to the Code of Ethics.

The following persons shall be subject to the provisions of the Rhode Island Code of Ethics in government:

- (1) State and municipal elected officials;
- (2) State and municipal appointed officials; and
- (3) Employees of state and local government, of boards, Commissions, and agencies.

2.5 Annual Report Requests (36-14-9001)

On or before the last Friday in December of each year, the Commission shall cause to be mailed, by first class mail, postage prepaid, an inquiry and roster from the then current records of the Commission to the clerk of each city and town and the state. Said inquiry shall include the definitions of those persons subject to the Code of Ethics (R.I. Gen. Laws § 36-14-2(1), (2), and (3)), and shall direct the clerk to furnish the title, names and address of those persons subject to the Code of Ethics for each town who do not appear on said roster, and to furnish said information for replacement of any additional persons subject to the code during the next succeeding twelve (12) month period.

ARTICLE V MEETINGS

Section 1. Regular meetings

The Library Trustees shall meet at such time and place as designated by the Trustees, not fewer than six times each year (or monthly). The Annual Meeting shall be held in the month of June. The date and time of the Annual Meeting shall be announced in the local newspaper, on the library website and through the blog, as well as posted at the Library. All meetings will take place at the Rogers Free Library.

Section 2: Attendance Requirements

Board members have a responsibility to attend all meetings of the Board. A board attendance problem occurs when one of the following conditions exist regarding a board members attendance at board meetings:

- a. The member has two un-notified absences in a row.
- b. The member has three notified absences in a row
- c. The member misses one third of the total number of board meetings in a twelve-month period.

If a board attendance problem occurs, the Chair will promptly contact the member to discuss the problem. The members response will be shared with the full board and that body, in turn, will decide what actions to take in response.

Section 3. Special meetings

Special meetings may be called by the chairperson or upon the written request of three (3) Trustees for the transaction of business stated in the call for the meeting.

Section 4: Open Meetings. Rogers Free Library Trustees meetings will be subject to Chapter 42-46 of the Rhode Island State Statues relative to OPEN MEETINGS.

42-46-6. Notice.

(a) All public bodies shall give written notice of their regularly scheduled meetings at the beginning of each calendar year. The notice shall include the dates, times, and places of the meetings and shall be provided to members of the public upon request and to the secretary of state at the beginning of each calendar year in accordance with subsection (f).

(b) Public bodies shall give supplemental written public notice of any meeting within a minimum of forty-eight (48) hours, excluding weekends and state holidays in the count of hours, before the date. This notice shall include the date the notice was posted; the date, time, and place of the meeting; and a statement specifying the nature of the business to be discussed. Copies of the notice shall be maintained by the public body for a minimum of one year. Nothing contained herein shall prevent a public body, other than a school committee, from adding additional items to the agenda by majority vote of the members. Said informational items may not be voted upon unless they have been posted in accordance with the provisions of this section. (c) Written public notice shall include, but

need not be limited to, posting a copy of the notice at the principal office of the public body holding the meeting, or if no principal office exists, at the building in which the meeting is to be held, and in at least one other prominent place within the governmental unit, and electronic filing of the notice with the secretary of state pursuant to subsection (f); however, nothing contained herein shall prevent a public body from holding an emergency meeting, upon an affirmative vote of the majority of the members of the body when the meeting is deemed necessary to address an unexpected occurrence that requires immediate action to protect the public. If an emergency meeting is called, a meeting notice and agenda shall be posted as soon as practicable and shall be electronically filed with the secretary of state pursuant to subsection (f) and, upon meeting, the public body shall state for the record and minutes why the matter must be addressed in less than forty-eight (48) hours in accordance with subsection (b) of this section and only discuss the issue or issues that created the need for an emergency meeting. Nothing contained herein shall be used in the circumvention of the spirit and requirements of this chapter.

(d) Nothing within this chapter shall prohibit any public body, or the members thereof, from responding to comments initiated by a member of the public during a properly noticed open forum even if the subject matter of a citizen's comments or discussions were not previously posted, provided such matters shall be for informational purposes only and may not be voted on except where necessary to address an unexpected occurrence that requires immediate action to protect the public or to refer the matter to an appropriate committee or to another body or official. Nothing contained in this chapter requires any public body to hold an open-forum session to entertain or respond to any topic nor does it prohibit any public body from limiting comment on any topic at such an open-forum session. No public body, or the members thereof, may use this section to circumvent the spirit or requirements of this chapter.

(f) All notices required by this section to be filed with the secretary of state shall be electronically transmitted to the secretary of state in accordance with rules and regulations that shall be promulgated by the secretary of state. This requirement of the electronic transmission and filing of notices with the secretary of state shall take effect one year after this subsection takes effect.

(g) If a public body fails to transmit notices in accordance with this section, then any aggrieved person may file a complaint with the attorney general in accordance with § 42-46-8.

ARTICLE VI QUORUM

Section 1. Quorum

A quorum for the transaction of business shall be a simple majority (4) of the Board of Trustees members.

ARTICLE VII ORDER OF BUSINESS

Section 1. Order of Business

The order of business at the regular meetings of the Trustees shall be as follows:

1. Roll call/call for quorum/approval of agenda
2. Approval of previous meeting's minutes
3. Financial report
4. Report of the Library Director
5. Reports of Committees
6. Old business
7. New business
8. Member Prerogatives
9. Public Comment
10. Adjournment

Section 2. Parliamentary Authority

Roberts Rules of Order, latest revised edition, shall govern the parliamentary procedure of the meetings.

ARTICLE VIII REQUIRED REPORTS AND ANNUAL TIMETABLES

The Library Director will submit an Annual Report to OLIS on the 15th of September annually. This report will be augmented by the Disaster Plan and the Long-Range Plan. Also included in this submission are the application for grant in Aid as well as the Certificate of Expenditures. Once submitted, the Long-Range Plan will remain on file until the five years it encompasses have elapsed.

The Library Director will report to the Trustees at each meeting. Reports will reflect the library's current progress on the Strategic Plan (including programming data), as well as reflect future needs. Reports will also reflect expenditures against the budget.

ARTICLE IX COMMITTEES

Section 1. Special Committees

Special committees for the study and investigation of issues, problems, possible actions or tasks may be appointed by the Chairperson to serve until they have completed the work for which they were appointed.

ARTICLE X LIBRARIAN

Section 1. Overview of the Role of the Director of the Library

The Library Director is a professional, administrator who is responsible for the general operation, supervision, and management of Rogers Free Library. Direction is received from the Rogers Free Library Board of Trustees, and under its policies, the Director supervises all staff—professionals, paraprofessionals, technical, clerical, and service employees.

Section 2. Duties of the Director of the Library

- a. Acts as an executive officer, manager, and supervisor of the library and ensures public access to it through the establishment of reasonable hours of service (including evenings, Saturdays and Sundays.).
- b. Responsible for all ongoing services (e.g. reference and information, services to children, youth, adults and to special needs users.)
- c. Prepares and submits the annual operating budget to the Bristol Town Administrator with the advice and consent of the Rogers Free Library Board of Trustees.
- d. Administers the adopted budget.
- e. Attends Rogers Free Library Board meetings and regularly updates the Board about library operations.
- f. Hires, evaluates, and dismisses (when necessary) Rogers Free Library personnel
- g. Plans and approves training programs for all staff members.
- h. Assesses community needs and tailor's library service to meet those needs (within budget constraints.)
- i. Reviews and approves the materials selections for Rogers Free Library in -OSL
- j. Performs cataloging and classification of materials.
- k. Answers reference/information questions as necessary; refers to outside sources as needed.
- l. Represents the library at public, professional and meetings of the Town where appropriate
- m. Utilizes the services and consultants of the State's Office of Library and Information Services
- n. Oversees and monitors all technology services. Serves as representative of Rogers Free Library to the state's public library computer network (Ocean State Library-OSL).
- o. Recommends to the Board and carries out public relations initiatives in the town.
- p. Performs other duties as required.

Section 3: Qualifications of the Library Director

- a. Bachelor's degree from an accredited college or university, supplemented by a Master of Library Science degree from an American Library Association certified

institution of graduate studies. Second Master's in a subject area is helpful; also helpful is experience in public library management.

- b. Considerable knowledge of administrative procedures especially regarding their application to library operations.
- c. Considerable knowledge of budgeting and program principles.
- d. Demonstrated ability to plan, direct, and supervise the work of others; knowledge of group dynamics and personnel principles.

ARTICLE XI AMENDMENTS

Section 1. Amending the Bylaws

These Bylaws may be amended by a simple majority of the members present at any regular Board of Trustees meeting that has a quorum (4 members), provided that the amendment was stated in the call for the meeting mailed to the members at least one (1) week before the meeting.

Section 2. Review of the Bylaws

These Bylaws will be reviewed by the Board of Trustees from time to time in an effort to reflect changes which may have occurred that then require updates by amended language.

ADOPTION OF BYLAWS

We, the undersigned, are all the current Trustees of Rogers Free Library and we consent to, and hereby do, adopt the foregoing Bylaws, consisting of nine pages, as the Bylaws of Rogers Free Library.

ADOPTED AND APPROVED by the Trustees on this 14 Day of January 2020.

Elizabeth G. Brito

Trustees Chair