



Colorado State Library
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Six Essential Tasks for Boards of Trustees

The primary role of the Board of Trustees is to fulfill, promote and perpetuate the mission of the organization. All of the following responsibilities and functions allow the board to legally and effectively perform in this role.

Fiduciary-Financial well-being of organization

- Develop and administer financial policies
- Provide for and review periodic financial statements and annual audit
- Maintain assets of organization

Governance-"Big picture" direction and oversight

- Determine and approve policies: financial (above), programs, personnel, operations
- Establish organizational identity
- Provide continuity, including perpetuation of board
- Provide for accountability of programs and management
- Set boundaries for staff and operations
- Set standards and evaluate board performance, both individually and as a group

Planning

- Create a vision for the organization and its future, including outreach/fund raising plans
- Set goals, objective and workplans to further the mission of the organization
- Monitor the progress of goals, objectives and workplans

Outreach

- Educate the community, including specified target audiences, regarding the organization and its mission
- Determine and "sell" the organizational image
- Monitor the progress of fund raising plan

Fund Raising

- Financially support the organization
- Actively participate in the fund raising process, including meeting with funders, connecting organization to resources, asking for money, etc.
- Monitor the progress of fund raising plan

Staffing

- Hiring or Termination of the Executive Director
- Set and evaluate performance standards for Executive Director
- Identify expected outcomes that staff is to achieve
- Support work of staff

In the course of performing these functions...

- Know the organization
- Share expertise and leadership; make self available for consultation

Best Practices for Library Boards of Trustees

- Board speaks with one voice or not at all
- Board decisions are primarily Policy Decisions
- Definition of ends, not means
- Definition of Board/staff linkage
- Defined Governance process
- Determine the broadest values before progressing to the smaller one
- Boards define and delegate rather than react and ratify
- Boards control staff means by limiting rather than prescribing
- Boards design their own products and process. (bylaws, policies)
- Performance is rigorous

Follow These Rules for a Proper Executive Session



Executive sessions are an exception to the general rule that the proceedings of a public governing body, such as the board of directors of a Colorado special district, are public.¹ See part 4 of article 6 of title 24, Colorado Revised Statutes (the "Open Meetings Law"). See *Gumina v. City of Sterling, Colorado*, 119 P.3d 527 (Colo. Ct. App. 2004), cert. business and should be conducted in a meeting which is open to the public. Therefore, begin with the presumption that whatever matters your board needs to discuss, it should be done in open session, unless the matter is included on the list of acceptable topics provided in the Open Meetings Law.

Approved Topics

If your board needs to discuss any one or more of the following topics, and there is a legitimate need for privacy or confidentiality, the board may convene an executive session:

1. the purchase, acquisition, lease, transfer, or sale of any real, personal, or other property interest (§24-6-402(4)(a), C.R.S.);
2. conferences with an attorney for the public entity for the purposes of receiving legal advice on specific legal questions (§24-6-402(4)(b), C.R.S.);³ See Section 24-6-402(4), C.R.S.
3. matters required to be kept confidential by federal or state law or rules and regulations (§24-6-402(4)(c), C.R.S.);
4. specialized details of security arrangements or investigations (§24-6-402(4)(d), C.R.S.);
5. developing strategy for negotiations, instructing negotiators, and determining positions relative to matters that may be subject to negotiations (§24-6-402(4)(e), C.R.S.);
6. personnel matters (with exceptions and as applied in the discussion below) (§24-6-402(4)(f), C.R.S.); and
7. consideration of any documents protected by the mandatory nondisclosure provisions of the Open Records Act⁴ (§24-6-402(4)(g), C.R.S.). While some of these topics seem self explanatory, others require a little more elaboration.

- Topic #1 - No executive session may be held for the purpose of concealing the fact that a district board member has a personal interest in the purchase, sale, lease, etc. of the property. A potential conflict of interest or other impropriety cannot be hidden behind the closed doors of an executive session.

- Topic # 2 - The mere presence or participation of an attorney at an executive session does not constitute a conference with an attorney that would qualify the executive session for purposes of the Open Meetings Law. The attorney must actually be giving the board legal advice on specific legal questions which would reveal confidential matters or compromise a negotiating strategy if discussed in open session.

- Topic # 3 - The board must announce before the executive session the specific citation of the federal or state statute or rule that is the basis for such confidentiality.

Topic # 4 - Applicable to defenses against terrorism and also in circumstances where disclosure of the matters discussed might reveal information that could be used for the purpose of committing a violation of the law, or avoiding prosecution therefor.

- Topic #6 - The rule concerning executive sessions to discuss personnel matters is often invoked, frequently inappropriately. Therefore, a more in-depth discussion of personnel matters follows.

Personnel Matters

An executive session is not appropriate for discussions of: (i) general personnel policies that do not require the discussion of matters personal to a particular employee, (ii) discussions of board members, any elected official, or the appointment of any person to fill a vacancy on the board or a vacancy of an elected official.

Similarly, in a search for a new chief executive officer, the search committee of a local public body must establish job search goals, including the writing of the job description, deadlines for applications,

requirements for applicants, selection procedures and the timeframe for appointing or employing the chief executive officer of such entity at an open meeting. When the search has narrowed to finalists, the local public

body must make public a list of all names under consideration for the position no later than fourteen days before a final offer can be made.

The statute provides, however, that it is not to be construed to prohibit a search committee from holding an executive session to consider appointment or employment matters not described in this paragraph and

otherwise authorized by §24-6-402, C.R.S. An executive session is appropriate to discuss personnel matters concerning a specific individual. The individual to be discussed must be given advance notice that he or she will be the topic of discussion, because the employee has a statutory right to request an open meeting instead of an executive session.

6. The person being discussed cannot insist upon being present in the executive session.

Procedures to Convene:

Announce, Cite, Describe and Vote An executive session may only be called at a regular or special board meeting where official action may be taken by the board, i.e., not a study

session. When it is known in advance that an executive session might be convened, the agenda included in the "24-hour" meeting notice should so indicate. To convene an executive session, the statute requires that the local public body announce to the public in the open meeting the topic to be discussed in the executive session (see topic list, above), including specific citation to the statute authorizing the body to meet in an executive session (see statutory sections included with topic list above) and identifying the particular matter to be discussed in as much detail as possible without compromising the purpose for which the executive session is authorized. If the board plans to discuss more than one of the authorized topics in the executive session, each should be announced, cited and described. ⁶ See §24-6-402(4)(f)(I), C.R.S. and the Gumina case.

Following the announcement of the intent to convene an executive session, a motion must then be made and seconded. A sample motion might sound like this; "I move that we enter into executive session to discuss a personnel matter related to [name of employee] pursuant to §24-6-402(4)(f), C.R.S., and to discuss the purchase of certain real property pursuant to §24-6-402(4)(a), C.R.S., as a possible location for the district's new administration building." An affirmative vote of two-thirds (2/3) of the quorum present is required to go into executive session. That's at least four "yes" votes if five board members are in attendance. Three out of five members present is only 60%, not the requisite 66%. Gumina Case

It's important to strictly follow the steps to convene an executive session, and in the order prescribed. In the Gumina case, the Sterling City Council made numerous errors in calling an executive session for the purpose of discussing the employment of the Assistant City Manager. First, the Council announced its intent to convene an executive session. The Council minutes indicate that the Council then voted unanimously to convene an executive session before any topic of discussion was announced. After the vote, the Mayor distributed a written form which stated, "At this time it is the intent of the City Council to recess the public meeting currently in progress and convene an executive session which will be closed to the public. The topics for discussion in the executive session will be [Topics # 1, 5 and 6]." The statement did not include the specific statutory citations, and it did not name the employee who was the subject of the "personnel matter," nor did the Council provide any advance notice to Pamela Gumina, the Assistant City Manager, that she would be the topic of discussion at the meeting. The appellate court determined that this violated Gumina's statutory right to call for an open meeting. Finally, the appellate court concluded that, "because the Council failed to strictly comply with requirements of the statute for convening [the challenged executive sessions], the trial court must open the records of those sessions to public inspection."

Behind Closed Doors

Assuming your board has properly called the executive session as discussed above, there are additional limitations on the session itself. Limit discussion to only those topics announced in the open session. Do not digress into other issues.

- Do not take any formal action. Do not take any straw polls or ask your fellow board members how they will vote once you return to open session.
- Beginning August 7, 2006, you must electronically record (tape, digital, etc.) the discussion in your executive session, regardless of the manner in which your district keeps minutes of its open sessions. Handwritten or typed records will no longer be acceptable.
- If, in the opinion of the district's attorney (who is in attendance at the executive session) all or a portion of the discussion during the executive session constitutes a privileged attorney-client communication, the electronic recording may be suspended for that portion of the discussion. The attorney may either state such opinion for the record, or provide a signed statement attesting that the portion of the executive session that was not electronically recorded constituted a privileged attorney-client communication. On the other hand, nothing prevents the district from recording even the privileged discussion and letting a judge determine what was privileged, if the record is challenged.
- All board members are entitled to be present in any executive session. Other than board members, only those others who are considered essential to the discussion at hand should be present, and then only with the invitation of the board. The district manager and attorney will normally be present, and such others as an appraiser, consultant, or investigator, if deemed by the board to be necessary to the discussion. It should be remembered that anyone present in the executive session is under the same obligation of confidentiality as are board members.

Record Retention and Requests for Inspection

Members of the public have ninety days following the executive session to file a challenge and an open records request that the records be released to public inspection on the grounds that the executive session was improperly called, or that the discussion went beyond the purposes for which the session was called, or that formal action was taken. Therefore, the tapes should be preserved for at least ninety days, after which, assuming no Open Records Act request has been filed, they may be erased or otherwise destroyed, provided the district's policy so permits. Most attorneys recommend destruction of the tapes after ninety days if no public request is received. If a person seeks access to the record of the executive session pursuant to the Open Records Act during the 90-day period, the electronic recording must be preserved so that a judge may review the record (in private) and determine whether all or a portion of it should be made public. The district's Custodian of Records, acting on behalf of the board, may feel that the need for confidentiality has passed, and open the record, or may deny the request, in which case the requesting party will forward the request to the District Court. If, in response to a formal request by a member of the public, the judge determines that: (i) substantial discussion on matters not authorized by the executive session laws or outside the scope of the motion for the executive session took

place, (ii) a policy, position, resolution, rule, regulation or formal action was adopted by the board,⁸ or (iii) the executive session was improperly convened, the improper portion of the record will be open to public inspection. In addition, the court has jurisdiction to issue injunctions to enforce the purposes of the Open Meetings Law and to award a prevailing citizen costs and reasonable attorney fees.

Effective August 7, 2006, Colorado law¹ will require that certain new provisions appear in every "public contract for services" as part of an effort to ensure that illegal aliens do not perform work on such

contracts. The new requirements will apply to new contracts entered into after such date, as well as contract renewals. The State of Colorado has already begun preparing for this change in the law, and the State Controller's Office in the Department of Personnel & Administration, Division of Finance and Procurement

has adopted an emergency fiscal rule to address the requirements in Sections 8-17.5-101, et seq., C.R.S. A public hearing will be held on July 31, 2006 to consider permanent adoption of the proposed changes.

The State Controller's Office has prepared and issued new language for inclusion in all State services contracts.² It is re-printed here, modified to refer to special districts rather than the State, as a sample of language which could be adapted to meet the needs of special district contracts.

² See 1 CCR 101-1, Chapter 3, Rule 3-1, State Contracts – Special Provisions Section, #10. *Illegal Aliens – Public Contracts For Services* The Contractor certifies that the Contractor shall comply with the provisions of CRS 8-17.5-101, et seq. The Contractor shall not knowingly employ or contract with an illegal alien to perform work under this contract or enter into a contract with a subcontractor that knowingly employs or contracts with an illegal alien to perform work under this contract. The Contractor represents, warrants, and agrees that it (i) has verified that it does not employ any illegal aliens, through participation in the Basic Pilot Employment Verification Program administered by the Social Security Administration and the Department of Homeland Security, or (ii) otherwise will comply with the requirements of CRS 8-17.5-102(2)(b)(I). The Contractor shall comply with all reasonable requests made in the course of an investigation by the Colorado Department of Labor and Employment. If the Contractor fails to comply with any requirement of this provision or CRS 8-17.5-101, et seq., the District may terminate this contract for breach of contract, and the Contractor shall be liable for actual and consequential damages to the District.

LAW SUMMARY

Office of Legislative Legal Services



OPEN MEETING REQUIREMENTS OF THE COLORADO SUNSHINE LAW¹

The Colorado Sunshine Law generally requires that any state or local governmental body that meets to discuss public business or to take formal action do so in meetings that are open to the public. Under the law (§ 24-6-402, C.R.S.), "meeting" refers to any kind of gathering, convened to discuss public business, whether in person, by telephone, electronically, or by other means of communication. Electronic mail messages can be considered "meetings" under the statute. The statute does not apply to chance meetings or social occasions where public business is not the central purpose of the meeting.

	State Body	Local Body
DEFINITIONS:	Any board, commission, or other advisory decision-making body of the state; state college or university board; the General Assembly; or any entity that has been delegated the governmental decision-making function.	Any board, commission, or other advisory decision-making body of a political subdivision of the state; or any entity that has been delegated the governmental decision-making function.
MEMBERS:	Two or more members of the body conducting business are subject to this law.	Three or more members of the body (or two members if two constitutes a quorum) conducting business are subject to this law.

¹ This summary contains information commonly requested from the Office of Legislative Legal Services. It does not represent an official legal opinion of the General Assembly or the state of Colorado and does not bind the members of the General Assembly. It is intended to provide a general overview of Colorado law as of the date of its preparation. Any person needing legal advice should consult his or her own lawyer and should not rely on the information in this memorandum.

NOTICE:	The statute requires full and timely notice, posted in its designated place within a reasonable time prior to the meeting.	The statute requires full and timely notice, posted in its designated place within a reasonable time prior to the meeting. A local body may comply by posting notice at least 24 hours prior to the meeting.
	State body	Local body
MINUTES:	Minutes of meetings must be taken and promptly recorded and are open to public inspection.	Minutes of meetings must be taken and promptly recorded and are open to public inspection.
EXECUTIVE SESSION:	Requires announcement of topic for discussion, citation to authorizing law, and a two-thirds vote of all members.	Requires announcement of topic for discussion, citation to authorizing law, and a two-thirds vote of the members present.
	Discussions held in an executive session must be electronically recorded.	Discussions held in an executive session must be electronically recorded.
	No record or electronic recording is required to be kept of the portion of a discussion by the governing board of a state institution of higher education held in executive session that constitutes a privileged attorney-client communication.	No record or electronic recording is required to be kept of the portion of a discussion in executive session that constitutes a privileged attorney-client communication.

LAST REVISED: 09/01/2012

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Colorado Library Law – The Quick Guide

CRS 24-90-101 *et seq.*

24-90-102. Legislative declaration	
The general assembly hereby declares that it is the policy of this state, as a part of its provision for public education, to promote the establishment and development of all types of publicly supported free library service throughout the state to ensure equal access to information without regard to age, physical or mental health, place of residence, or economic status, to aid in the establishment and improvement of library programs, to improve and update the skills of persons employed in libraries through continuing education activities, and to promote and coordinate the sharing of resources among libraries in Colorado and the dissemination of information regarding the availability of library services.	
Part 1: Formation and Duties	Rough, non-legal summary of statute: Colorado Library Law *
24-90-103 Definitions.	Defines major terms used throughout the Library Law.
24-90-103.5 Acts and elections conducted pursuant to provisions that refer to qualified electors or registered electors.	Any elections completed before July 1, 2003 are legal and valid.
24-90-104 State library created - administration.	Creates the State Library as a division of the Department of Education. Commissioner of Education appoints a deputy state librarian to carry out provisions of the law.
24-90-105 Powers and duties of state librarian.	Defines what the State Library and State Librarian can do to serve all libraries. The State Library serves as the repository of the bylaws and the legal service area maps of all library districts within the state.
24-90-105.5 Radio Reading Services.	A pass-through appropriation by the state legislature. [This program is not administered by the State Library, but annual plans and activity evaluations are necessary for funding].
24-90-106 Participation of existing libraries in the formation of new libraries	Describes how libraries may be formed to provide services to communities.
24-90-106.3 Inclusion of a governmental unit into an existing library district – procedure. **	Describes how a town or other governmental unit may become part of an existing library district
24-90-106.5 Establishment or removal of a municipal library in an existing county library or library district.	Explains how a municipality within another county or library district shall receive service. It may create its own library so long as it does not affect the finances of the library district, unless the library district agrees to revenue sharing.
24-90-107 Method of establishment. **	Lengthy description of the process for forming any of the four types of public libraries: city, county, district, or joint library.

Part 1: Formation and Duties	
24-90-108 Board of trustees of public libraries. **	Describes public board formation and requirements.
24-90-109 Powers and duties of board of trustees. **	Outlines Board powers and duties. A copy of all library district bylaws shall be filed with the legislative body of each participating governmental unit and the state library.
24-90-110.7 Regional library authorities. **	Lengthy description of a Regional Library Authority, how to create one, and its powers.
24-90-112 Tax support - elections.	Describes methods and procedures for tax-related elections and use of taxes raised for use by the library.
24-90-112.5 Issuance of bonds..	Lengthy description of Board responsibility and procedures for dealing with general obligation indebtedness.
24-90-113.3 Contract to receive library service.	A city or county legislative body or school district may contract for library in lieu of creating its own library.
24-90-114 Abolishment of libraries.	A library [meaning the complete entity, not just one building or branch] may dissolve itself on a vote of electors. Outlines necessary actions if this occurs.
24-90-115 Regional library service system - governing board.	Created the regional library service systems. [The seven regional systems were reconstituted into one in 2004 due to budget cuts].
24-90-116 Existing libraries to comply.	Any library formed before or after July 1, 1979 is legal.
24-90-117 Theft or mutilation of library property.	People who destroy or don't return materials may be charged with a class 3 misdemeanor. [See CRS 18-1.3-105]
24-90-118 Colorado libraries automated catalog project.	Provides the authority to create the Colorado Virtual Library (CVL).
24-90-119 Privacy of user records. [Also known as the Privacy Law] **	<p>(1) ...a publicly-supported library shall not disclose any record or other information that identifies a person as having requested or obtained specific materials or service or as otherwise having used the library.</p> <p>(2) Records may be disclosed in the following instances:</p> <ul style="list-style-type: none"> a) When necessary for the reasonable operation of the library; b) Upon written consent of the user; c) Pursuant to subpoena, upon court order, or where otherwise required by law; d) To a custodial parent or legal guardian who has access to a minor's library card or its authorization number for the purpose of accessing by electronic means library records of the minor. <p>(3) Any library official, employee, or volunteer who discloses information in violation of this section commits a class 2 petty offense and, upon conviction thereof, shall be punished by a fine of not more than three hundred dollars.</p>

Part 2: State Publications	
24-90-201 through 208 State publications depository and distribution center.	Sections 201—208 Establishes the State Publications Library. Describes the need for, and procedures for all state agencies to provide printed or electronic materials for cataloging and distribution to designated depository libraries in the state.
Part 3: Colorado Computer Information Network (Colorado Virtual Library)	
24-90-302 Colorado Virtual Library - creation - components - access.	Creates the Colorado Virtual Library (CVL), a service used to: <ul style="list-style-type: none"> ▪ connect to the on-line catalogs of Colorado libraries; ▪ connect to locally produced databases; ▪ access to digitized collections of Colorado resources and Indexes of full text database products to serve the needs of the people of the state; ▪ operate an interlibrary loan system for resource sharing; and ▪ perform other services associated with providing computer-based library services.
Part 4: Library Grants	
24-90-401 through 408 Library Grants [Also known as State Aid for Libraries]	Provides authority for appropriation of \$2 million in state aid for school, public, and academic libraries. Outlines procedures for distribution, including need to meet filtering requirements on internet access. These funds have not been appropriated for libraries since 2002.
Part 5: Library Capital Facilities Districts	
24-90-501 through 519 Library Capital Facilities Districts **	Outlines the procedures for a library district to establish a capital facilities district to generate a tax-base or revenue for building improvements, or land, collection, or other needs. References various other sections of state law dealing with taxes, elections, expenditures, and bonds.
Part 6: Internet Protection in Public Libraries	
24-90-601 through 606	Outlines the expectations and responsibilities for policies on internet content in public libraries.

* Consult with your respective city, county, or district lawyers for legal advice on, and implications of, Colorado Library Law, or call the Colorado State Library for additional information.

** Indicates a Quick Guide for this section.

For further Public Library Information: www.ColoradoStateLibrary.org/LibraryDevelopment/PublicLibraries



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Links to Laws/Information for Libraries

- American Disabilities Act Center
 - www.adainformation.org (800) 949-4232
- Budget Law
 - Department of Local Affairs
<http://www.dola.state.co.us>
Jarrod Biggs jarrod.biggs@state.co.us (303)866-4493
 - Special Districts Association
<http://www.sdaco.org>
- Colorado Library Law
 - <http://www.cde.state.co.us/cdelib/LibraryLaw/Index.htm>
- Consumer Product Safety Improvement Act
 - <http://www.cpsc.gov/about/cpsia/cpsia.html>
- Fact Act
 - Colorado Municipal League <http://www.cml.org/info/issues/other.aspx>
- Fair Campaign Practices Act
 - <http://www.elections.colorado.gov/WWW/default/Campaign%20Finance/Law/2008%20Title%201%20Article%2045.pdf>
 - <http://www.elections.colorado.gov/DDDefault.aspx?tid=85>
- Internet Protection in Public Libraries
 - <http://www.cde.state.co.us/cdelib/LibraryLaw/download/QuickGuideInternetProtection.pdf>
- Privacy of User Records (CRS 24-90-119)
 - <http://www.cde.state.co.us/cdelib/LibraryLaw/download/QuickGuideColoradoLibraryLaw.pdf>
- Public Library Filtering Bill (HB-1004)
 - <http://www.cde.state.co.us/cdelib/Filtering.htm>

Colorado State Library Workshop Evaluation

Date: _____ Presenter(s): _____

Workshop/presentation: Library Board Trustee Training

1. What is your position? Mark (X) one.

☐ Librarian ☐ Library Staff ☐ LIS Student ☐ Trustee ☐ Other, please specify: _____

2. In what type of organization do you work? Mark (X) one.

☐ Academic Library ☐ Public Library ☐ School Library ☐ Special Library ☐ Correctional Library
☐ Other, please specify: _____

3. To what extent do you agree or disagree with the following statements? Mark (X) one response per statement.

Statement	Strongly agree	Agree	Neutral	Disagree	Strongly disagree	N/A
A. The goals of the workshop were clearly stated.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B. The goals of the workshop were met.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C. The workshop resources were useful (e.g., handouts, websites, etc).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D. The activities made a positive contribution to my understanding of the content of the workshop.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E. The meeting facilities were satisfactory.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F. The presentation was clear and well-organized.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
G. The presenter(s) was responsive to participants' questions and comments.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
H. The presenter(s) was knowledgeable about the workshop content.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I. The workshop content was worthwhile.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

4. Overall, how would you rate the workshop? Mark (X) one.

☐ Excellent ☐ Above Average ☐ Average ☐ Below Average ☐ Extremely Poor

We value your input. Please take a minute to tell us about why you rated the workshop as you did.

5. Would you recommend this workshop to others? Mark (X) one.

☐ Definitely ☐ Probably ☐ Maybe ☐ Unlikely ☐ Never ☐ Don't know

Session Goals

- . To discuss why policies are crucial to well-run libraries
- . To review necessary library policies
- . To practice formulating a policy

Fiscal Policies

Reserve Policies
Investment Policies
Debt Policies
Purchasing

Nearly Painless Policies for Library Boards: How the Right Policies Can Help with Sticky Situations

Jacqueline Murphy, jmurphy@swaps.com
Shelly Waldnak, waldnak.s@cds.state.co.us

Human Resources Policies

Evaluations
EEO
Leave
Sexual Harassment

Operational Policies

Code of Conduct
Unattended Children
Filtering
Circulation

Operational Policies (con't)

Meeting Rooms
Displays and Exhibits
Internet
Social Media

Other

Open Meetings
Open Records
Campaign Practices

List of Policies

<http://tinyurl.com/43abj7h>

POLICY WORKSHEET

Policy:

Service Philosophy:

Definitions:

Implications for Implementation

EXHIBITS AND DISPLAYS - TEMPLATE

POLICY QUESTIONS TO ADDRESS

1. Why does the library create or authorize the creation of exhibits or displays?
2. What types of items may be included in an exhibit or display?
3. How do exhibits and displays support the library's goals and objectives?

DEFINITIONS

1. What is an *exhibit*?
2. What is a *display*?

REGULATIONS QUESTIONS TO ADDRESS

1. Are exhibits or displays created only by library staff or are other organizations and individuals authorized to mount exhibits or displays in the library?
2. If other organizations and individuals are authorized to mount exhibits or displays,
 - a. how do they indicate their interest in mounting an exhibit or display?
 - b. what criteria are used to determine which exhibit or displays will be accepted and who is responsible for enforcing the criteria?
 - c. are there rules for signage, size, content, and the like that must be observed?
 - d. must a release from liability form be signed that describes and limits the library's responsibility in the event that an exhibit or display is damaged or items become lost?
 - e. may an exhibit or display contain items (such as art work or crafts) that are for sale?
 - f. may an exhibit or display contain the name, address and phone number of the person or group that created it?
3. Who is responsible for the content and quality of exhibits or displays produced by library staff?
4. How are exhibits or displays scheduled and by whom?
5. Where does the library allow exhibits or displays to be mounted?
6. If there is more than one exhibit or display area, do the regulations vary from area to area? If so, which regulations apply to which area?
7. Is there a maximum, minimum or fixed period of time for exhibits or displays?

8. Under what circumstances, if any, are library materials used in exhibits or displays?
9. If library materials are used in exhibits or displays, are the materials available for circulation? If they are not available for circulation, may reserves be placed on them?
10. If there is a complaint about the Exhibit and Display policy or how the policy was implemented,
 - a. to whom is that complaint made?
 - b. what process will be followed to address the complaint?
11. If there is a complaint about the content of an exhibit or display,
 - a. to whom is that complaint made?
 - b. what process will be followed to address the complaint?

POLICY WORKSHEET

Policy: Displays and Exhibits

Why should the Library create or authorize displays and exhibits?
What kind of materials are appropriate/ inappropriate?
How do displays and exhibits support the library's vision and mission?

Objective(s):

- To establish the conditions and context in which Smith Library provides space for community display and art exhibits from external groups.

Service Philosophy:

Smith library wants to be a good community partner and encourage sharing materials with the public. The library would like to serve as a center for local history development and help blooming artists have a venue to display their works. We believe in reflecting the needs, interests, and points of view of all the members of our community.

Definitions:

What is an exhibit?

What is a display?

Table top displays

Posters

Painting

Flyers

Brochures

Personal notices

Implications for Implementation

We recognize that we have a limited amount of space to be able to share materials – how will we address this?

How will staff determine what is relevant and appropriate?

Who will be in charge of this service?

Who is responsible for installation?

What rules need to be put into place?

Do we need a liability form?

Can people sell their items in the library?

Do the works need to be identified by name?

How long will the display and exhibit be allowed?

Display & Exhibit Policy

Policy Statement

To establish the conditions and context within which the Huron County Library provides space for community display and art exhibits from external groups.

Definitions

Displays and exhibits include but are not limited to table top displays, posters, paintings and personal collections.

Responsibility for Implementation

The responsibility for the implementation of this policy lies with the County Librarian, acting according to the general policy established by the Board. This authority may be delegated to other staff by the County Librarian.

Regulations

1. General Principles. Through its collections the Huron County Library seeks to reflect the needs, interests and points of view of all its communities. The Huron County Library may also provide public exhibition space to meet the specific needs of the community, local historians and artists within the County of Huron. By providing this space to the public the library helps promote local history and artists in the community. This free exhibition space enables the library to participate in the cultural and creative life of the community.

2. Selection criteria. All exhibits, whether generated by library staff or the public, will be considered based on the following:

- Relevance to Huron County Library vision, mission and values
- Historical or regional relevance
- Artistic expression
- Relation to other events or exhibits in the community
- Appropriateness to the library environment
- Attention of viewers and the public
- Ease of installation
- Availability of library space

The Huron County Library has the right to refuse any work which does not fit within some or any of the above selection criteria.

Citations

Public Libraries Act, R.S.O. 1990, c. P. 44 Section 23 (4)

Approved November 17, 2009