

LIBRARY TRUSTEES: THE OTHER BOARD IN TOWN

RSA 202-A:2 defines a board of Library Trustees as “the governing body of the library.” Trustees are vested with the entire custody and management of the library. They hire the library director, adopt policies to govern the library’s operation and advocate for adequate financial support of the library. Trustees have the power to expend all funds provided to the library, and to determine how they will be spent.

Every potential trustee must understand that being a library trustee is an ongoing job; he or she should be willing to commit more than just a few hours a month at a meeting. **A trustee must be willing to learn about library service and fully participate in fulfilling the responsibilities of the position.**

GOVERNING AND ADVISORY BOARDS

If the board is a **governing board**, it is responsible for the entire custody and management of the library. If the board is an **advisory board**, its main function is to represent the thinking of the community regarding the use and policies of the library.

Governing Boards

RSA 202-A:6 states that a town having a public library shall, at a duly warned town meeting, elect a board of library trustees consisting of any odd number of persons. Such trustees shall serve staggered three-year terms or until their successors are elected and qualified. Vacancies on the board are filled by appointment by the town’s governing body until the next election (RSA 202-A:10). The board may and should recommend no more than three candidates to fill the vacancy. Once appointed, the new trustee may also run for the position in the next election. Any change that alters the size of the board must be voted on by the town (RSA 669:16 and RSA 669:75).

City Libraries

Trustees may be appointed, elected or selected according to the charter of each city. In most New Hampshire cities, trustees are appointed by the mayor and/or governing board. When a vacancy occurs on a city board, the governing body must appoint a replacement within two months of notice (RSA 202-A:8).

Libraries Established by Trusts, Funds, or Gifts

Some towns have libraries that were provided by private donations or bequests. Many of these bequests stipulated the number of trustees and what positions or families in town they were to represent. If a town or city council votes to accept such a library (RSA 202-A:3) and the conditions do not provide for a representative of the public, a special library trustee shall be elected by the town or city council for a three-year term (RSA 202-A:7 and RSA 202-A:8).

BOARD RESPONSIBILITIES

Code of Ethics

As elected or appointed public officials, trustees of New Hampshire public libraries have an obligation to meet the highest legal, moral and ethical standards in their conduct and decisions. The following principles should be used as a guide to achieve this goal:

- Provide equal access to a broad diversity of viewpoints, beliefs, information and media.
- Abide by all state and federal laws that apply to New Hampshire public libraries.
- Observe the provisions of the Right-to-Know Law (RSA 91-A) by ensuring that all meetings, whether held in person, by means of telephone or electronic communication, or in any other manner, shall be open to the public and that all participating members are able to communicate with each other contemporaneously.
- Avoid real or perceived conflict of interest when making decisions for or about the library that may involve issues of personal gain for self, family, or friends.
- Keep confidential information confidential.
- Function as a whole unit; individual trustees cannot assume sole authority for comment or actions unless delegated to do so by the board.
- Remain objective when dealing with staff or patrons and use board-established channels of communications to ensure consistent, rational resolution of library matters.
- Abide by board-established public information policies and refer requests to the library director when appropriate.
- Adhere to all board-established library policies, rules, and procedures.
- Promote a positive atmosphere of service and achievement throughout the library.
- Respect the director as the professional administrator of day-to-day operations and procedures; do not undermine the authority of the director's supervision of staff; administer regular performance reviews of the director according to library personnel policies.

- Protect the integrity and purpose of the library as a community institution; challenge proposals or actions that are illegal or contrary to the mission; challenge any board member whose actions betray the public trust, violate the law, jeopardize the integrity of the library or cause dissension within the library.
- Study all laws pertaining to libraries; adequately prepare for board and committee meetings; participate in training (NHLTA Orientations, Workshops, and Conferences) to maintain current knowledge in order to effectively serve the library.
- Attend meetings regularly or resign so that a more active member can be appointed.

JOB DESCRIPTION

Library trustees in town libraries and in some city libraries are the governing board of the library (RSA 202:A-2). ***The board of library trustees shall have the entire custody and management of the public library and all the property of the town relating thereto except trust funds held by the town.*** (RSA 202-A:6) In towns and in some cities, the board of trustees has sole responsibility for hiring and firing employees of a public library (RSA 202-A:16, 17) and the securing of sufficient funds to provide and maintain adequate library service or to supplement funds otherwise provided (RSA-A:4).

QUALIFICATIONS

- Resident of the municipality the library serves (RSA 669:6).
- Ability to devote the time and effort required by the duties of trusteeship.
- Knowledge of the services provided by the library and commitment to the library's role in the community.
- Understanding of the community's social, educational and political structure.
- Ability to collaborate with others, listen effectively and plan for the future.
- Participate with local, state and national government and library leaders to improve library service at all levels.

ESSENTIAL RESPONSIBILITIES OF THE INDIVIDUAL TRUSTEE

- Advocates for the library and library service in the community, state and nation.
- Actively participates in and contributes to the meetings and work of the board.
- Seeks training opportunities for enhancing the performance of trustee duties and responsibilities.
- Acts as a member of a board and assumes individually only those duties delegated by the board.
- Utilizes the library trustee manual and acquires full knowledge or awareness of local, state and federal laws pertaining to the governance of a public library.

- Participates in state and national library organizations.
- Supports all decisions reached by the board.

ESSENTIAL RESPONSIBILITIES OF THE LIBRARY BOARD OF TRUSTEES

- Recruits, appoints, supervises and reviews performance of the library director.
- Appoints all other employees of the library and determines their duties and wages in consultation with the director.
- Develops and approves the mission statement for the library; contributes to and approves the development of short- and long-term goals for the library.
- Establishes, reviews and revises all policies, including but not limited to personnel, material selection/use and the use of the building.
- Adopts, reviews and revises bylaws, rules and regulations for the board’s own transaction of business and for the governance of the library.
- Prepares the annual budget in consultation with the director.
- Reviews budget on a regular basis and approves expenditures for unforeseen circumstances.
- Maintains library revenue in a separate non-lapsing account from the operating budget; approves all expenditures of those funds.
- Has sole authority to determine budget lines for expenditures and move monies from one budget line to another.
- Presents and defends the budget to the municipal budgetary authority each year.
- Ensures adherence to all local, state and federal laws that pertain to the library, library employees and the accessibility of materials to the public.
- Acts through a quorum as any other public body, not as individuals.

RESPONSIBILITIES OF THE LIBRARY DIRECTOR AND THE BOARD OF TRUSTEES

AREA	BOARD OF TRUSTEES	DIRECTOR
Mission and long-range plans	Develops with the director; approves; enables implementation; tracks progress	Develops with the board; implements; reports progress
Day-to-day operations	Establishes policies; makes recommendations to the Director	Chief administrative officer

Policies	Develops; approves; periodically reviews	Recommends; implements
Budget	Develops with the director; allocates; approves; presents; approves capital purchases; retains legal responsibility	Develops with the board; presents; recommends capital purchases; administers; maintains audit trail. Prepares reports
Personnel	Hires all staff. Recruits, supervises the director; sets all terms of employment; final grievance appeals; sole dismissal authority	Recommends for hire; supervises other staff; responds to grievances; schedules all work; maintains all records, recommends for dismissal
Building	Entire custody and management; budgets for repairs; plans for renovation and expansion; may sign contracts, depending upon town policy	Oversees; obtains bids; board-authorized to do emergency repairs to a given amount; monitors cleaning
Collection	Knowledgeable about collection development and approves plan; budgets for the collection	Develops plan, submits to the board; recommends budget allocation; authorizes purchases
Public relations	Represents library to community; advocates for library	Develops ongoing plan; submits news; is spokesperson for operations
Local government	Develops and maintains relationships; acts as total board to speak for library needs	Develops and maintains relationships; assists officials with library services; is spokesperson regarding operation and services

FRIENDS OF THE LIBRARY

The Trustees, Director and Friends working together constitute a strong library team so long as each entity clearly understands its role.

Trustees are legally appointed or elected and are legally responsible for the results of their decisions and actions. They are restricted to function within the limitation established by local, state and federal laws.

Friends groups are separate independent organizations with their own officers and structure and are not responsible for the administration or governance of the library or any policy-setting functions. Legally, they cannot take on any functions assigned by law to the library board of

trustees. Trustees and staff may be members of the Friends but should not be officers, as it would be a conflict of interest.

NH RSAs THAT PERTAIN TO LIBRARIES

Note: RSAs are subject to change by the State Legislature therefore only the Titles and Chapters are cited below for reference.

For a complete list of RSAs, visit <https://www.gencourt.state.nh.us/rsa/html/nhtoc.htm>.

TITLE XVI: LIBRARIES <https://www.gencourt.state.nh.us/rsa/html/NHTOC/NHTOC-XVI.htm>

CHAPTER 201-D • Statewide Library Development System

201-D:11 Library User Records; Confidentiality.

CHAPTER 202-A • Public Libraries

202-A:1 Declaration of Policy.

202-A:2 Definitions.

202-A:3 Establishment.

202-A:4 Maintenance.

202-A:4-a Cooperatives.

202-A:4-b Contracts for Services.

202-A:4-c Trustees' Authority to Accept and Expend Gifts

202-A:4-d Acceptance of Personal Property Donated to Libraries

202-A:5 Status

202-A:6 Library Trustees; Election; Alternates.

202-A:7 Special Provisions.

202-A:8 City Trustees.

202-A:9 Repealed

202-A:10 Library Trustees; Vacancies; Alternates.

202-A:11 Powers and Duties.

202-A:11-a Use of Additional Funds.

202-A:11-b Procedure for Adoption 202-A:12 Annual Reports.

202-A:12-a Trust Fund Annual Reports

202-A:13 Discretionary Powers.

202-A:14 Compensation of Trustees.

202-A:15 Public Librarian; Qualification & Tenure.

202-A:16 Powers and Duties.

202-A:17 Employees; Removal.

202-A:18 Discontinuance of Library.

202-A:19 Defunct Libraries.

202-A:20 Custody of Publications.

202-A:21 Penalties.

202-A:22 Custody and Control of Trust Funds.

202-A:23 Exceptions.

202-A:24 Offenses Against Libraries.

202-A:25 Detaining Books.

ADDITIONAL RESOURCES

NH RSA Chapter 91-A Access to Governmental Records and Meetings (Right to Know Law)

<https://www.gencourt.state.nh.us/rsa/html/NHTOC/NHTOC-VI-91-A.htm>

NH Municipal Association: Right to Know Law www.nhmunicipal.org/right-know-law

NH Library Trustee Association: www.nhlta.org

NH State Library: <https://www.nhsl.dncr.nh.gov/>

American Library Association (ALA) www.ala.org