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CHAPTER FIVE

Types of Library Boards

[**Disclaimer:** *The information in this handbook is not legal advice. We recommend that you consult an attorney if you have any questions about how the laws apply to your library.*]

There are two types of boards of trustees—**governing** boards for private nonprofit 501(c)(3) libraries and **advisory** boards for municipal libraries.

Governing Boards

A governing board is one that has the final authority and responsibility for the library and its services. The governing board has both legal and fiduciary responsibilities and is directly accountable to the public.

Board trustees have a:

Duty of Care- To use on their expertise and best judgement to help improve the library.

Duty of Loyalty- To put the library's interests ahead of their own and represent the library in a positive light, supporting decisions made by the board.

Duty of Obedience- To follow the bylaws, state statutes, and federal laws and regulations, as well as stay informed on current trends affecting the library.

The core responsibilities of the governing board are:

- Determining the mission
- Establishing the vision and strategic direction
- Monitoring the library's work
- Assuring legal and bylaws compliance
- Setting policy
- Overseeing the library's finances and protecting its assets
- Fundraising
- Community relations and advocacy
- Selecting, supporting and evaluating the director
- Building the competency of the board

Roles and responsibilities of the governing board are described in more detail in *Chapter 10*.

Advisory Boards

If the library is a municipal department, it is very likely that the board will be an advisory board. The director will be hired by the town/city manager and will be directly accountable to him/her as a department head. This is generally true of a library that is established by town charter.

An advisory board is typically appointed by the governing authority, such as the town council, and has the responsibility to give input into the library's planning process, policy setting, and marketing plan. An advisory board does not have the same legal and fiduciary responsibilities as a governing board, but the members are still representatives of the community and can be extremely important volunteers and advocates for the library.

Some advisory boards may have more authority granted to them (such as hiring and firing the library director) due to local agreements, circumstances, and history. Written agreements with the local governing entity are the best way to assure that a library board continues to exercise the power it believes it has. There should be a Memorandum of Understanding (MOU) or Memorandum of Agreement (MOA) between the municipal governing body and the board of trustees that delineates the responsibilities and deliverables of each entity. This document helps all concerned in the carrying out of their duties. This agreement should be reviewed at least every five years.

The core responsibilities of an Advisory Board are:

- Providing input and recommendations, when invited and as appropriate, in support of the governing entity's interviewing, selection, and performance evaluation of the library director.
- Supporting library management initiatives and decisions
- Providing input on library policies and budget proposals
- Assisting the library director in determining the library's mission and vision
- Participating in short and long-range strategic planning
- Advocating for adequate resources through the municipal budgeting process

- Being familiar with and assisting the library to promote the library's resources, services and public image
- Providing a forum for public communication on library issues
- Assisting the library in community needs assessment
- Reporting library activities and issues back to the governing entity
- Assisting in succession planning for new board members by identifying and motivating others to serve on the advisory board when openings occur
- Being knowledgeable about existing and new populations in the community
- Staying aware of current trends affecting the library as well as foundations and trends in librarianship

Selection and Makeup of the Board

The methods by which board members are selected vary. They may be appointed by a local government body, elected by the membership of a local library association or corporation, elected by public vote, selected through an application process, or named by the board itself. Anyone is potentially qualified to be an outstanding library trustee, but trustees who run for a seat on the board or are appointed in some way should be elected or selected for the special talents that they might contribute. Representatives to the board should bring expert knowledge such as accounting, public relations, legal expertise and represent the diversity of the community they serve. Potential or new trustees need to know that service on the library board will take time and energy. Trustees most frequently serve without compensation but may be reimbursed for trustee education or library-related business.

Whether elected or selected by municipal officials, the new library trustee should bring a strong interest in the library and its welfare. Board members need to have personal experience, skills and talents that will benefit the library and its services to the community. Balanced representation should characterize the library board with a representation of both men and women and representation from all community groups and ages.

Typically, a library board of trustees is composed of five to nine members, although the municipal governing body, corporation bylaws, tradition, or the board's functions may determine its size. The chair position should be rotated among board members. One good way to involve board members in the work of the library is to appoint

members to standing committees reflecting the authority of the board. Ad hoc committees may be appointed to deal with special situations.

Regardless of whether the board is governing or advisory, both boards do have some responsibilities in common. Both should know and understand the local ordinances and state laws that impact the library and its operations. Both boards should be familiar with the library's budget and where the funding is derived. Both boards should promote the library's budget to the funding authorities. Both boards should be involved in the long-term planning process and both should have input into the developing of library policy. The most important role, however, is that both boards should be strong library advocates.

Additional Resources

- Moore, Mary Y. *The Successful Library Trustee Handbook*, 2nd ed. Chicago: American Library Association, 2010.
- Reed, Sally Gardner and Jill Kalonick. *The Complete Library Trustee Handbook*. New York: Neal-Schuman Publishers, Inc., 2010.
- Diversity on Nonprofit Boards
<https://www.councilofnonprofits.org/tools-resources/diversity-nonprofit-boards>
- Board Engagement <https://www.councilofnonprofits.org/tools-resources/board-engagement>
- United for Libraries www.ala.org/united/
- The Trustee Listserv MELIB-Trustee@lists.maine.edu
- Sample Memoranda of Understanding (at end of Chapter 6)
- Sample Governing Board Bylaws (at end of Chapter 6)
- Sample Advisory Board Bylaws (at end of Chapter 6)

