

BYLAWS
BOARD OF TRUSTEES
ELMHURST PUBLIC LIBRARY

ARTICLE I - OBJECTIVES

The Board of Trustees of the Elmhurst Public Library is responsible for providing library service to meet the needs of the Elmhurst community. To this end, the Board shall:

1. Determine Library policies.
2. Employ a capable Library Director and provide for appropriate staff.
3. Secure adequate funds for Library operations.
4. Approve expenditure of Library funds.
5. Provide and maintain adequate facilities.
6. Insure a representative selection of Library materials.
7. Promote use of the Library within the community.
8. Perform other duties as outlined in Illinois Compiled Statutes.

Trustees serve without compensation. In their position of public trust, Trustees shall avoid conflicts between private interests and official responsibilities. Prior to May 1st of each calendar year, all Trustees shall file a Statement of Economic Interest with the County Clerk, pursuant to the Illinois Governmental Ethics Act.

ARTICLE II - MEMBERSHIP

The Board of Trustees shall consist of nine (9) members appointed by the Mayor of the City of Elmhurst, with the approval of the City Council. The terms of each member shall be for three years from the 1st of July of the year of appointment and until a successor is appointed. Terms are staggered, with three expiring each year. Vacancies are filled in the same manner as the original appointments with the newly appointed Board members completing the remaining months of the term. A Board member may be removed by the Mayor subject to the approval of the City Council, in accordance with 65 ILCS 5/3.1-35-10. The Board of Trustees may recommend removal of a Trustee by majority vote if the Trustee fails to attend meetings or discharge the duties of his or her office.

ARTICLE III - OFFICERS

The officers of the Board of Trustees shall be a President, Vice-President, and Secretary, each to be elected at the annual meeting by a majority vote of the Trustees present. Each term of office shall be for one year, or until a successor has been elected and qualified. A Trustee may serve no more than three consecutive one-year terms in any one office. After serving three consecutive one-year terms as President, Vice-President, or Secretary, a Board member is ineligible to serve in that office again for one year. In the event that an officer is unable to complete his or her term of office, the Board of Trustees may elect a replacement to serve out the term.

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Amended 1/21/86, 12/17/02, 1/16/07; 3/16/10; 3/19/13; Revised 7/15/14

Reviewed 3/21/17

ARTICLE IV - DUTIES OF THE OFFICERS

President: The President shall preside at all meetings of the Board of Trustees, appoint committees and committee chairs, act as ex officio member of all committees, and perform such other duties as are normally associated with the office or may be assigned to him or her by the Board.

Vice-President: The Vice-President shall, in the absence of the President, perform all duties of that office and shall have such other duties and responsibilities as the Board may determine.

Secretary: The Secretary shall be responsible for the record keeping and publication of all proceedings of the Board; shall have charge of such correspondence as is delegated by the President of the Board of Trustees; shall give due notice of all regular meetings with agenda when necessary; and at the request of the President, or of two Trustees, shall give due notice of the time, place and purpose of any special meeting. In the absence of the Secretary, the President shall appoint a Secretary pro tem.
The secretary shall preside in the absence of both the President and Vice-President.

In the event that the President, Vice-President and Secretary are absent from a meeting, the members present shall elect a President pro tem and Secretary pro tem from among themselves to serve for that meeting only.

ARTICLE V - MEETINGS

The rules contained in *Robert's Rules of Order (newly revised)* shall govern the business of the Board in all matters not covered by the bylaws.

All meetings shall be open to the public, except for Executive Sessions, as provided by the Illinois Compiled Statutes.

Five members of the nine-member Board shall constitute a quorum for conducting business. In the event of any unfilled vacancies on the Board, a quorum shall be a majority of the Trustees in office.

Regular monthly meetings of the Board shall be held in the Library at times to be established at the beginning of the calendar year. This schedule of monthly meetings shall be permanently posted in the Library and on the Library's web site.

Committee meetings shall be held in the Library as needed and an announcement shall be posted in all required locations no less than forty-eight (48) hours in advance of the meeting.

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The annual meeting shall be held within the 60 days following July 1st each year. The Board shall, at the annual meeting, elect officers, and conduct any other appropriate business. At the discretion of the Board, the annual meeting may be held outside of the Library.

Special meetings may be called by the President, or upon the written request of two Trustees. Only such business as stated in the call may be transacted at a special meeting. Except in the case of a bona fide emergency, notice of call shall be sent to all Trustees and posted in all required locations no less than 48 hours prior to a special meeting.

An annual letter shall be sent to the local press informing them of the schedule of monthly meetings and that committee meetings are held as posted in the Library.

The fullest participation and attendance in all Board meetings should be achieved whenever possible. The use of telephone conferencing for meeting attendance and voting is permissible so long as the conduct of the meeting is in accordance with the Open Meetings Act and any Board members attending the meeting through telephone conferencing are not counted as part of a quorum. The location of the meeting shall be equipped with a suitable speakerphone system in order that the public audience, the Board members in attendance, and any staff or guests will be able to hear any input, vote, or discussion of the teleconference. Sufficient security and identification procedures shall be employed to ensure that any and all Board members attending are, in fact, authorized Board members with the right to speak and vote. All Board members attending meetings by telephone conference are entitled to vote as if they were personally and physically present at the meeting site, so long as the telephone connection exists. This policy shall not be construed to mean that teleconferencing shall be regularly used but shall be used only as necessary to allow the participation of Board members who are unable to attend in person due to circumstances beyond their control. The meeting minutes shall indicate those Board members who attend by telephone connection, and in the event the entire meeting is not so attended, shall indicate those portions of the meeting which were attended by telephone conference.

ARTICLE VI - ORDER OF BUSINESS

The Chair of the meeting shall establish the agenda as required. The agenda shall be posted for public review in accordance with Illinois law.

ARTICLE VII - APPOINTMENTS

The President shall appoint such committees as he or she deems necessary to formulate policy and efficiently carry out the financial, operational and other responsibilities of the Board.

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The President may appoint members of the Board to act as liaison agents between the Library and other institutions in the community.

ARTICLE VIII - THE LIBRARY DIRECTOR

The Board shall appoint and establish the compensation of a Library Director, who will be responsible for the administration of the Library. The Library Director shall report directly to the Board and shall be authorized to develop Library programs, establish the organizational structure, purchase materials, and undertake such other activities as may be necessary for the Library's operation, subject to the policies established by the Board. The Library Director shall make reports at the meetings of the Board in such form and on such subjects as the Board may direct.

ARTICLE IX - AMENDMENTS

Amendments to these bylaws may be proposed at any regular meeting of the Board and shall become effective as and if adopted by a majority vote of the Board at a subsequent meeting.

ARTICLE X - INDEMNIFICATION OF TRUSTEES, OFFICERS AND EMPLOYEES

If any claim or action not covered by insurance or ordinance of the City of Elmhurst is instituted against a Trustee of the Elmhurst Public Library arising out of an act or omission by a Trustee acting in good faith for a purpose considered to be in the best interest of the Library; or if any claim or action not covered by insurance or ordinance is instituted against an officer or employee of the Library allegedly arising out of an act or omission occurring within the scope of his/her duties as such an officer or employee; the Elmhurst Public Library shall, at the request of the Trustee, Officer or Employee:

- A. Appear and defend against the claim or action; and
- B. Pay or indemnify the Trustee for a judgment and court costs, based on such claim or action; and
- C. Pay or indemnify the Trustee for a compromise or settlement of such claim or action, providing the settlement is approved by the Board of Trustees.

Decision as to whether the Library shall retain its own attorney or reimburse the Trustee, Officer or Employee expenses for their own legal counsel shall rest with the Board of Trustees and shall be determined by the nature of the claim or action.

For the purpose of this Article, the term Trustee, Officer or Employee shall include former Trustee, Officer or Employee of the Library. This Article shall not apply if the Board of Trustees finds that the claim or action is based on malicious, willful or criminal

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misconduct. In such case, indemnification will be determined after an investigation of the facts.

Amended to reflect Board action at the March 21, 2017 regular meeting.

DONATIONS AND PARTNERSHIPS

Elmhurst Public Library welcomes donations from individuals and organizations to enhance or improve Library collections and programs. Donations may take the form of monetary gifts or in-kind donations of materials or services. The Library may also enter into partnerships to develop specific services or programs.

Friends of the Elmhurst Public Library

The Friends of the Elmhurst Public Library is a 501 (c) (3) organization established to support the Elmhurst Public Library. The Friends solicit donations through a variety of fundraising activities and each year make contributions to specific Library programs as determined by their Board. The Library Director is an ex officio member of the Friends Board, and Library staff may provide limited assistance to the Friends in the fulfillment of their mission.

Commemorative Donations

The Library offers opportunities to name building elements such as end panels, rooms, or landscape features in return for a cash donation. Administrative staff will maintain a list of available naming opportunities and associated costs, and will establish procedures for recognizing such donations.

Cash gifts donated as memorials or for other purposes are also accepted for the dedication of library materials. The general nature or subject area of the materials to be dedicated may be based upon the wishes of the donor. Selection of specific titles, however, will be made by Library staff in accordance with the needs and selection policy of the Library. These commemorative gifts will be acknowledged by a bookplate.

Gift Materials

The Library accepts donations of materials on a selective basis. The same criteria that are used for purchasing decisions will be applied by Library staff in deciding whether or not to accept proposed gifts. Materials not meeting these guidelines will not be accepted. Receipts will not be given for any donated materials.

The Library cannot accept special collections of materials that are to be kept together as a separate physical entity, nor can it accept gifts with restrictions as to use, permanence and/or location. Gift material may be integrated into the general collection or sold.

Fine Art

The mission and goals of the Library support the development of collections of library materials, and the Library building is designed to accommodate those types of collections. While the Library Board is grateful for donations from citizens, there are limited facilities in the building to display, protect and preserve fine art, including furniture, paintings, and sculpture. Therefore acceptance of these objects will be subject to the donor's permission to sell the object for the benefit of the Library either immediately or in the future. Donors desiring permanent retention and/or display of their fine art gift will be referred to a more appropriate venue.

At their discretion, the Library Board may commission or request works of fine art that are appropriate to the building and do not require excessive security or maintenance.

The Library has very limited space available for display, so fine art materials may be displayed on a rotating basis or placed in non-public staff areas. Gifts with restrictions as to permanence and/or location will not be accepted.

All gifts of fine art will be acknowledged, and a signed donation form recording the terms of the gift will be kept on file. However, no monetary value shall be assigned to any gift nor such information included in any receipt.

Program Support

Library staff may solicit support for programs such as Summer Reading in the form of cash donations or prizes for program participants. Solicitation of program support will be coordinated by the Public Information Coordinator to avoid duplication and balance requests in the community. A letter of acknowledgement for gifts of money and in-kind support will be provided, and a copy will be placed on file. Any special recognition agreements will be stipulated in the letter.

The Library will also accept unsolicited donations for public programs that are in compliance with the Library's Programming policy (3.16).

Public acknowledgement of such donations in the Library's promotional materials will normally be restricted to a statement of the donor's name and/or a display of logo. Standards controlling the size, format and location of such acknowledgment will be developed by the Public Information Coordinator to ensure both consistency and quality of appearance. Such acknowledgement will not take precedence or have prominence over the Library's own logo or promotional material.

Unrestricted Cash Donations

A letter of acknowledgement will be provided for cash donations, and a copy will be placed on file.

Partnerships

Elmhurst Public Library may enter into partnerships to develop specific programs or services that would be enhanced by collaboration with another organization. A partnership with a commercial organization does not imply and may not require Library endorsement of the partner's product or service.

The terms of each partnership will be laid out in a written agreement approved by the Library Director and an executive of the partner organization.

ELECTRONIC COMMUNICATIONS AMONG LIBRARY TRUSTEES

Electronic communication shall not be used to discuss or transmit messages pertaining to Library business among a majority of a quorum of Library Trustees. (Note: A majority of a quorum of the Library Board is 3 members.)

Because of the ease with which e-mail can be forwarded, copied or misdirected, either intentionally or inadvertently, use of e-mail should be avoided altogether whenever the subject is a sensitive or confidential matter. When communicating via e-mail, “reply to all”, “forward” or “cc” responses must be avoided since such communication would constitute a gathering of a majority of a quorum (or more) of the Library Board, in violation of the Illinois Open Meetings Act.

E-mail may be used for routine communications between Trustees and Library staff. Examples of this type of communication include:

- Requests for available dates and times for meetings
- Meeting reminders
- Transmittal of agenda materials in advance of a meeting
- Transmittal of other documents for personal review or editing.
- Dissemination of information

The Library will maintain an email account for the Library Board as a group to facilitate communications from the public. Library staff will monitor this account and ensure that messages receive an appropriate response.

All e-mail that constitutes a public record must be maintained in accordance with the Local Records Act and must therefore go through official Library email accounts, which are archived as specified under the law.

CONTRACTOR LIABILITY

The Elmhurst Public Library requires contractors involved in remodeling, renovation, maintenance or other services where there is a risk of personal injury, to carry workmen's compensation and liability insurance with \$1,000,000 coverage, and to furnish certificates to verify this coverage from their insurance firm.

HOURS OF SERVICE AND HOLIDAYS

The Library will operate on the following schedule and observe the holidays listed below:

9:00 a.m. - 9:00 p.m.	Monday-Friday (The Library will close at 5:00 p.m. on New Year's Eve.)
9:00 a.m. - 5:00 p.m.	Saturday
1:00 p.m. - 5:00 p.m.	Sunday (except for Easter Sunday, when the Library will be closed)

The Library will be closed in observance of the following holidays.

New Years Day	January 1
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Thanksgiving Day	Fourth Thursday in November
Christmas Eve	December 24
Christmas Day	December 25
Staff Institute Day	Date will be determined by staff and Board will vote to approve.

When a holiday occurs on Sunday, the Library will be closed on both Sunday and the following Monday.

PUBLIC PARTICIPATION AT LIBRARY BOARD**MEETINGS AND PETITIONS TO THE BOARD**

At each regular and special open meeting, members of the public and Library employees may comment to or ask questions of the Board, subject to reasonable constraints. As a general rule, the Board will not respond to public comments at the time they are made. If a response is required, the matter will be discussed at a future meeting.

Individuals appearing before the Board are expected to follow these guidelines:

- Address the Board only at the appropriate times as indicated on the agenda and when recognized by the Board President.
- Identify oneself by full name and address, and be brief. Ordinarily comments shall be limited to 3 minutes, but in unusual circumstances, when the person has given advance notice of the need to speak for a longer period of time, such person may be allowed to speak more than 3 minutes.

The Board President may shorten or lengthen an individual's opportunity to speak. No more than 30 minutes will be allotted to each subject under discussion, except with unanimous consent of the Board.

The Board President shall have the authority to determine procedural matters regarding public participation not otherwise defined in Board policy.

Petitions or written correspondence to the Board shall be presented to the Board at the next regularly scheduled meeting.