

BOARD

“We strongly urge all nonprofits and foundations to adopt a code of ethics to guide their governance and operations. The process of developing such a code by the board and staff helps to infuse into the culture of the organization a recognition of how important it is to address issues of values and ethics on an ongoing basis.” —Diana Aviv, President and CEO, *Independent Sector*

CODES OF ETHICS

LAWMAKERS, DONORS AND THE GENERAL PUBLIC are all taking a closer look at how public entities conduct business, especially in the area of transparency and accountability. In addition to a board member’s legal and fiduciary responsibilities, a code of ethics gives all trustees common ground on which to base actions and decisions. This commonality can help steer the board clear of potential arguments and smooth the way through some of the rough patches it might face.

Library trustees are covered under **not-for-profit law** (association libraries) or **public officers law** (public libraries: i.e. municipal, school district and special district libraries). Codes of ethics are similar for either situation, emphasizing three key areas: *conflicts of interest*, *personal benefit* and *confidentiality of board business*.

A sample code of ethics statement for a board should begin with a *Statement of Commitment*. This general statement should emphasize the responsibility of the board and board member in their provision of quality library service to the community. Follow the Statement of Commitment with *Ethical Guidelines* including, but not limited to:

- general guidelines
- handling of information
- resources
- gifts
- representing the organization
- interpretation, and
- enforcement.

(For a sample based on this format, see: “Ethical Guidelines for Board Members of Not-for-Profit Organizations,” The Canadian Association e-zine, March 2004, http://www.axi.ca/TCA/Mar2004/guestarticle_4.shtml.)

THE ASSOCIATION FOR LIBRARY TRUSTEES AND ADVOCATES (ALTA) and the **Public Library Association of the American Library Association** have provided a sample “Ethics Statement for Public Library Trustees” that could also be incorporated:

- Trustees in the capacity of trust upon them, shall observe ethical standards with absolute truth, integrity and honor.
- Trustees must avoid situations in which personal interests might be served or financial benefits gained at the expense of library users, colleagues, or the situation.
- It is incumbent upon any trustee to disqualify himself or herself immediately whenever the appearance or a conflict of interest exists.
- Trustees must distinguish clearly in their actions and statements between their personal philosophies and attitudes and those of the institution, acknowledging the formal position of the board even if they personally disagree.
- A trustee must respect the confidential nature of library business while being aware of and in compliance with applicable laws governing freedom of information.
- Trustees must be prepared to support to the fullest the efforts of librarians in resisting censorship of library materials by groups or individuals.
- Trustees who accept library board responsibilities are expected to perform all of the functions of library trustees.

The library’s bylaws need to state the course of action the board can take if someone violates the code of ethics. This would probably mean a method of

investigation and list of possible actions. Here the difference between an **Association board** and a **Public Library board** is significant. Since members of an association board are volunteers, there are more ways to remove someone from the board. Public boards are made up of public officers, publicly elected in the case of district libraries, so removal from the board needs to be more carefully considered—both in terms of legality and public relations.

It is incumbent upon a board of trustees not only to govern ethically but also *to be perceived* as governing ethically. A Code of Ethics sets the tone for ethical standards on a board, and throughout an organization. Board approval of a code of ethics can be the first step to ensuring that it becomes part of your library’s culture.

FOLLOWING ARE THE “GOLDEN RULES FOR TRUSTEES” from the Massachusetts Public Library Trustees Handbook:

- Leave the actual management of the library to the library director. It is the library director’s responsibility to select books and other library materials, employ the staff and supervise day-to-day operations.
- After a policy or rule is adopted by the majority vote of the library board, do not criticize or restate your opposition publicly.
- Respect confidential information. Do not divulge information learned during executive sessions of the board, or any information regarding future board actions or plans until such action is officially taken.
- Observe publicity and information policies of the board and library. Do not give information individually but refer requests to the director or appropriate representative to interpret policies.
- Treat staff members and the director in an objective manner. Under no circumstances listen to grievances of a staff member or treat individual problems on your own. The library director is in charge of the staff and had administrative control up to the point where a grievance is presented to the library board as a whole.
- Do not suggest hiring a relative as a library employee, or two members of the same family.
- All rules and policies directed to the library director must be approved by a quorum of the board at a regular meeting. Even the chairperson should abide by this rule.
- Do not hold board meetings without the library director.
- Complaints from the public are the director’s responsibility. Continued dissatisfaction and problems should be taken up at the board meeting only if a policy revision is necessary or legal ramifications are involved.
- Assume your full responsibility as a board member. If you are unable to attend meetings regularly and complete work delegated to you, resign so that an active member can be appointed.

What should a trustee do if they disagree with a board decision? Once the board has reached a decision, it is the responsibility of board members to support that decision in all official statements and actions. A board member who disagrees with a decision can publicly state why they voted against the decision, but to use their position as a board member to advocate against that decision could be considered unethical.

MHLS Trustee Education Series Spring/Summer 2007

Trustee Essentials

Wednesday, **May 16**
6:00 P.M. – 8:00 P.M.

Mahopac Library
(Periodical Room)
668 Route 6
Mahopac, NY

OR

Saturday, **May 19**
1:00 P.M. – 3:00 P.M.

Kingston Library
55 Franklin Street
Kingston, NY

OR

Thursday, **May 24**
6:00 P.M. – 8:00 P.M.

MHLS Auditorium
105 Market Street
Poughkeepsie, NY

Essential Sessions are designed to educate public library trustees in:

- background and structure of libraries in New York state
- roles and functions of a board
- running effective meetings

There is a **\$50 incentive grant** to libraries in 2007 if at least one of their trustees attends a MHLS Trustee Essential Education session this year. The System will mail checks based on attendance. Light refreshments will be served.

100% of past participants said they recommend this training for public library trustees. Comments from past participants:

“As a new trustee the meeting was important and informative for me.”

“Found the workshop most helpful.”

“All through things were kept simple; ran a great presentation.”

“Thank you! I believe a workshop like this should be required as soon as a new trustee is elected.”

“Excellent orientation, very helpful handouts.”

Advanced Trustee

Topic: **Smart Growth for Your Library**

Saturday, **June 9**
10:00 A.M. – 12:00 N.

Catskill Public Library
1 Franklin Street
Catskill, NY

OR

Thursday, **June 14**
6:00 P.M. – 8:00 P.M.

MHLS Auditorium
105 Market Street
Poughkeepsie, NY

Advanced Sessions are designed to focus on issues benefiting and affecting libraries in our System, and address a different topic each year. They are designed for trustees who have been on the board for at least one year.

There is a **\$50 incentive grant** to libraries in 2007 if at least one of their trustees attends a MHLS Advanced Trustee Education session this year. The System will mail checks based on attendance. Light refreshments will be served.

Registration is required for both Essential and Advanced Sessions.

Register one of two ways:

- (1) <http://midhudson.org>, then click on Calendar
- (2) call 845.471.6060 ext. 46

Trustee Consultations from MHLS

Over 20 free, customizable consultations can be brought to your library, at your board's convenience. Contact **Josh Cohen**, MHLS Executive Director (jcohen@midhudson.org or 845.471.6060 x17) or **Rebekkah Smith Aldrich**, MHLS Coordinator of Member Information (rsmith@midhudson.org or 845.471.6060 x39).

Following is a selection of consultations. View the full list at <http://midhudson.org/trustee/consulting.htm>. Don't see what you were hoping to find? Give us a call, we'll put together something especially for your library.

Community Focus Group

Facilitation | Learning what your community wants from your library is a vital component to the planning process. If you would like to conduct a focus group, MHLS staff can help.

Budgets & Finance | Help with budgeting and financial record keeping.

Bylaw & Policies Review | Send in your bylaws or policies for review or have us come out to help you review these essential documents.

Friends Groups | What are they? How do they work? How to start one and best practices.

Local History Materials | Learn how to make the right choice for your library and community about your library's involvement with local history materials. **Contact:** Merribeth Advocate, Outreach & Education Coordinator, madvocate@midhudson.org | 845.471.6060 x54

Long-Range Planning (includes *Community Analysis*) | What should be included in a long-range plan and how to develop your own.

Roles and Responsibilities of Trustees and the Director | What is the role of the board of trustees and what are the responsibilities of trustees and the library director?

Space Assessment/Planning | Running out of space? Planning a new building? Take the time to do it right.

Sustainable Funding | Communities that vote on library budgets support public libraries at a higher per capita than libraries relying on the kindness of constituents. Learn about your options: *Special Districts, School Districts, 259 Votes* and *Chapter 414 Votes*.

Your Library's Message | Communicating effectively with your community is essential. Learn how to create the right message for the right audience along with techniques for getting your message out.