



State Library
of Oregon

Handbook for Public Library Board Members in Oregon

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Reviewed by the State Library of Oregon

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State Library
of Oregon





Welcoming from the State Librarian of Oregon

Thank you for your service to Oregon, and for your commitment to your local library. Board members are key to keeping the library a strong, vibrant, and relevant community anchor. This leadership role gives you the chance to strengthen your library and your community during your term. Your generosity and dedication are vital to the success of your local library.

Your work in planning, policy making, and advocacy makes a difference. Libraries have long been considered a part of the education system, for good reason. At its core, the library is a resource for everyone in the community to gain the education of their own choosing. The vast numbers of topics, authors, subjects, and titles means that everyone can find something for themselves at the library. Thank you for your work reducing barriers and expanding access, making sure that every member of your community has access to the depth and breadth of resources that can help each person find the knowledge they are seeking.

On behalf of my colleagues at the State Library of Oregon, I extend my gratitude for your leadership and service. The State Library of Oregon is here to provide support for your library, and for you as a board member. In addition to this board training Handbook, the State Library also offers training sessions for library boards. Please contact our Library Support and Development Services Division if we can assist you in any way: library.support@slo.oregon.gov, 503-378-2525.

Thanks,

A handwritten signature in black ink that reads "Wendy Cornelisen".

Wendy Cornelisen

State Librarian



Disclaimer

Oregon and local law regulate and guide the public library board member position. The library's legal counsel should be consulted if there are questions. The information presented in this Handbook is in no way considered legal advice. Please remember that this Handbook provides an overview and is a learning aid, not a substitute for the Oregon Revised Statutes or other legal sources.

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Introduction

Congratulations on becoming a public library board member! The role of the public library board member is vital to a thriving library, and a library is vital to a thriving community. A public library is the center of every community, and board members ensure that the library continues to have a strong and vital presence, remaining relevant to users and responsive to the needs of the community.

Individual board members with the other board members and their library director are team that guides and supports, provides feedback and information from the community, and shares information about the library with residents. Board members represent their community and bring that perspective to the full Board in decision-making. They also advocate for and promote the library and its mission, vision, and values.

This Handbook for Public Library Board Members in Oregon (Handbook) is a guide for library board members provided by the State Library of Oregon. It consists of basic information that a board member needs to fulfill their role. The Handbook provides an overview of general board member roles and responsibilities, for both advisory and governing boards.

The governance models for public libraries in Oregon vary, and some information in the Handbook may not apply to each situation. Each board member must understand the legal status of their library and use the relevant information based on each library's establishment documents.

This Handbook can be used in many ways. For a newly elected or appointed public library board member, reading through the whole Handbook will provide an orientation to foundational roles and responsibilities. For board training, learning about and reviewing best practices can occur at each board meeting. As questions arise, most answers can be found in the Handbook and at the end of the Handbook, there are references and tools to explore.

The public library board engages in important work that impacts the library and the community it serves. This Handbook is a tool of support and resources to create an effective and rewarding term of service.

Section 1 – Overview

The Handbook provides information and resources to help new board members flourish in their role and experienced board members to continue being effective library supporters. A board member serves in a multifaceted position of trust. Board members are elected or appointed to represent the people of their community and ensure the people get the library services to meet their needs.

To begin, there are several definitions that are foundational to understanding your role: “public library” and “library board member.” These definitions are found in the Oregon Revised Statutes (ORS) and the Oregon Administrative Rules (OAR).

Establishment processes of a new public library are also defined in the ORS. The establishment documents for each library are extremely important and are retained forever. The type of library that is established determines the governance of the library and the type of board that has authority to conduct its business.

In this section, the following topics are covered:

- Definition of a public library
- Types of public libraries in Oregon and how they are established
- Definitions of a public library board member for the various types of public libraries
- Important laws and requirements for all board members
- Concepts of equity, diversity, inclusion and antiracism which should be foundational in the work of a public library board member.

Definition of a Public Library

The legal definition of a “public library” in [ORS 357.400](#) specifies that:

- “Public library” means a public agency that provides to all residents of a local government unit free and equal access to library and information services that are suitable for persons of all ages, and
- It is required the State Library Board to establish minimum conditions that a public library must meet; these conditions must, at least:
 - Include financial support from public funds and regularly scheduled open hours; and

- Provide reasonable exemptions to libraries with service populations of 2,000 or fewer residents of the local government unit.

The final minimum conditions were approved by the State Library Board ([ORS 357.405](#)) on October 18, 2019. The minimum conditions became effective on January 1, 2020, as [OAR 543-010-0036](#).

For more information, please see the following guide from the State Library:

<https://libguides.osl.state.or.us/minconpublibs>

Establishment of the Types of Public Libraries

Public library establishment law was first enacted in 1901 in Oregon. While the early law enabled only city libraries, today, there are several types of public libraries and forms of governance. Currently, public libraries are either city, county, special district, county service districts, nonprofit, or public/school libraries. Laws governing public libraries can be found in the following statutes:

- Libraries: ORS Chapter 357 – Libraries; Archives; Poet Laureate - https://www.oregonlegislature.gov/bills_laws/ors/ors357.html
- Special District Libraries: ORS Chapter 198 – Special Districts Generally - https://www.oregonlegislature.gov/bills_laws/ors/ors198.html
- County Service District Libraries: ORS Chapter 451 – County Service Facilities - https://www.oregonlegislature.gov/bills_laws/ors/ors451.html

Public libraries are funded in several ways:

- A city or county library are usually funded from the city or county general fund or other local taxes.
- A county service district library and a special district library are funded through a tax levied specifically for library services within the district boundaries. These districts may devote part of their funding to city or nonprofit libraries as well.
- All public libraries may draw on other sources of funding, such as:
 - Grants
 - Donations from the public
 - Contributions from their Friends of the Library or Foundation groups
 - Endowments or bequests
 - Cooperative agreements with other entities

Types of Public Library Boards – Advisory and Governing– What is the difference?

There are differences in the roles and responsibilities of advisory board members and governing board members.

The governmental authority of city libraries is the city council, and they appoint library board members who serve in an advisory capacity. The county commission, sometimes known as the county court, is the authority for county libraries and county service district libraries. The commission appoints an advisory library board.

The original establishment charter, ordinance, or resolution of a city, county, or county service district library provides the guidance for how the library is to be governed and the basic responsibilities of the advisory boards. [ORS 357.465](#) further states that the library board of a city, county, or county service district, as determined by the governing body, shall consist of not less than five members and nor more than 15 members.

A special district library is an autonomous governmental entity solely focused on library services. Its board is elected by the voters of the district and, as such, the board is the governing authority and has fiduciary and policy setting responsibility. The make-up of the governing board and how the members will be elected is outlined in the special district library establishment documents.

[ORS 357.226](#) contains specific language concerning governing board members:

- 1) The officers of the district shall be a board of five members, to be elected by the electors of the district. The district board shall appoint a district librarian, who shall be the secretary for the district.*
- 2) Any elector residing within the district shall be qualified to serve as a district board member.*

A special district library is considered a municipal corporation and as such the board is responsible for governance and oversight of the district library. The governing board has fiduciary authority, and the policies that they enact have the effect of law.

A governing board oversees all district functions. The governing board must hire a director to operate the district and ensure compliance with all policies and laws. The director must either hire or contract to cover the main functions of a governmental entity – human resources, IT, facilities, insurance, retirement program, employee benefits, accounting, legal services, contracting, ethics, records management and retention, and more.

To Be a Public Library Board Member

Generally, public libraries have one of two types of boards: an appointed advisory board or an elected governing board. For the purposes of this Handbook, the following terms will be used:

- Advisory board for an appointed library board, and
- Governing board for an elected special district library board.

Public library boards are appointed in city libraries, county libraries, and county service district libraries.

The qualifications for an appointed board member (city, county, or county service district) are determined by the original charter, ordinance, or resolution establishing the public library. These documents will typically state the method by which the library will be governed and how board members will be appointed and their assigned responsibilities.

The five board members of a special district library comprise a governing, authoritative body. They are responsible for all the functions of an Oregon local governmental entity. The qualifications for governing board members are that they must be residents and/or electors of the district.

To qualify to be a **governing board member** in special district libraries, Oregon law sets the following qualifications:1) Special district board members must be electors who reside within the district's boundaries. [[ORS 357.226](#)] For all other types of public libraries the appointing authority sets the qualifications.

2) No **appointed library board member** may serve for more than two full consecutive four-year terms. However, anyone may be reappointed to a board after a one-year interval. [[ORS 357.465](#)]

3) Board members may not have any direct or indirect financial interest in any contract to which the library is a party. [[ORS 357.460](#)] In considering potential new members, care should be taken to avoid establishing conflicts of interest.

In general, advisory and governing board members are strongly interested in the library and the community it serves. They are representatives of the whole community and must bring a broad perspective to their board member role. They devote time to prepare for and attend meetings, to actively participate in planning, budgeting, and policy setting, and are willing and able to advocate for the library and support the principles of intellectual freedom and open access to information.

Board Members and the Law – What is required and consequences of not meeting the law

A public library is a publicly funded agency in the State of Oregon “that provides to all residents of a local government unit free and equal access to library and information services that are suitable for persons of all ages.” As a public agency, a library must comply with the laws of the State of Oregon.

Board members are public officials and as such, fall under the ethics and liability laws in ORS. [ORS 244.040 - Prohibited use of official position or office](#) outlines dos and don'ts for board members. All of [ORS Chapter 244](#) concerns government ethics. Advisory board members should check with their governing authority for liability insurance coverage for the defense and indemnity of public officials, and governing boards should ensure that the district has comprehensive liability insurance coverage, including directors and officers liability, general liability, and errors and omissions. It's important to keep in mind that some violations of government ethics or public meetings laws may be considered individual offenses by the board members and thus not covered by the library.

Equity, Diversity, Inclusion, and Antiracism (EDIA)

The [Oregon Library Association](#) (OLA) has been working on Equity, Diversity, Inclusion, and Antiracism (EDIA) issues for many years and formally since 2019 with OLA's [EDIA Committee](#). Throughout the Handbook, there will be references to how EDIA concepts can be implemented in the work of board members.

The following definition of EDIA is from the Oregon Library Association's [Equity, Diversity, Inclusion & Antiracism Toolkit](#):

Equity, Diversity, Inclusion (EDI) is an acronym that is often associated with institutional compliance obligations. It works as an initiative or an institutional attempt to create awareness and adherence to a more equitable, diverse and inclusive workplace.

The advent of EDI in institutions is definitely a historic advancement, since many institutions are rooted in whiteness, as you will learn from this toolkit. Nonetheless, EDI cannot be detached from Antiracism best practices, because Antiracism is the factor that appeals to us not just as employees but as humans and where we can use our knowledge and influence to create not only a better workplace but a better world.

The full toolkit can be found here:

https://www.olaweb.org/assets/EDI_Antiracism_Comm/OLA_TOOLKIT_Digital_Copy%202021_02_1_1.pdf

Section 2 – Board Member Roles and Responsibilities

In general, there are similarities among all types of library board members whether they are governing or advisory.

Those wishing to be library board members are:

- Engaged and interested in the community and the library
- Keen to understand and implement board roles, responsibilities, and authority
- Willing to participate fully and designate the time needed to prepare for and attend board meetings
- Focused on the mission of the library
- Actively involved in planning, policy development, budgeting, and working with the library director
- Familiar with fiscal responsibilities and asks clarifying questions
- Not a rubber stamp
- Respectful
- Able to work well through conflict and disagreement
- Supportive of and an advocate for the principles of EDIA and intellectual freedom.

Roles and Responsibilities – How do we operate?

The role of the board in the public library is comprehensive. While the board does not operate the library, they do ensure that it is operated efficiently, effectively, and within the bounds of law and policy. The board's role includes but is not limited to:

- Governance - *the act or process of governing or overseeing the control and direction of something (such as a country or an organization)* from [Merriam-Webster Dictionary](#)

- Advocate - advocating for, communicating about, and promoting the library and staff
- For governing boards, ensuring that the library is effectively administered and operated by hiring, supervising, and evaluating a competent library director. Advisory boards *may or may not* participate similarly.
- For governing boards, serving as the employer for the library director
- Being aware of and complying with applicable laws and rules
- Enacting policies aligned with law and principles of outstanding library service
- Upholding the connection between the community's needs and the library's vision, mission, and strategic direction
- Planning strategically and regularly for the future
- Acting only as a cooperative collective, never as individuals.

The most important thing for a board member to know is that they have no individual authority; the board's authority occurs only when they sit as a whole in open meeting. A quorum of members can make decisions and pass resolutions. According to Merriam-Webster Dictionary, a [quorum](#) is *the minimum number of officers or members of a body that is required to be present at a given meeting (as to transact business)*. For governing boards of five elected members, a quorum is three members. For advisory boards of appointed members, a quorum is the majority of the number of appointed board members. Board bylaws should outline the specific details concerning a board's quorum and may be defined by local statute.

An effective board member:

- Commits to regularly attending board meetings
- Follows the board's bylaws
- Prepares for each board meeting by reading reports, understanding the financial documents, and asking for more information when necessary
- Supports the board's decisions, plans, and policies
- Ensures that the board's meetings comply with Oregon's laws such as open meetings and public records
- Participates in learning opportunities
- Empowers the staff to operate the library and stays away from day-to-day operations
- Advocates for the library and the continuing development of library services
- Engages with organizations that promote libraries such as the [Oregon Library Association](#) (OLA). [United for Libraries](#), and the library's Friends and Foundation groups.

While there may be some overlap in the roles, powers, and duties for advisory and governing boards, the specifics will be found in the ORS and in the establishment language for the library or district library.

For advisory board members, [ORS 357.490 Library Board General Powers](#) states the following:

In the ordinance or resolution establishing the library, the governing body shall determine the library board's responsibility for:

(1) Appointment of the librarian and staff, fixing their compensation, determining their working conditions and prescribing their duties.

(2) Formulating rules and policies for the governance of the library.

(3) Preparing and submitting an annual budget request.

(4) Approving, or delegating to the librarian the responsibility for approving, all expenditures from the library fund or the public library building fund.

(5) Acceptance, use or expenditure of any real or personal property or funds donated to the library, or purchase, control or disposal of real and personal property necessary for the purposes of the library, except that each donation shall be administered in accordance with its terms, and all property or funds shall be held in the name of the governing body.

(6) Selection of sites for public library buildings or for location of library facilities.

(7) Entering into contracts.

(8) Such other activities as the governing body may assign.

Keep in mind that the city council or county commission/court are the governing body for city and county libraries, and as such, the specifics of board activities are detailed in the ordinance establishing the library.

Governing boards, however, are the governing body for the district library and therefore their powers and duties are outlined in the ORS and detailed in the board's bylaws:

[ORS 357.226 District Board Members](#)

(1) The officers of the district shall be a board of five members, to be elected by the electors of the district. The district board shall appoint a district librarian, who shall be the secretary for the district.

(2) Any elector residing within the district shall be qualified to serve as a district board member.

The powers of a special district library board are found in [ORS 357.261 District Powers](#):

A library district has the power:

(1) To have and use a common seal.

(2) To sue and be sued in its name.

(3) To make and accept any and all contracts, deeds, leases, releases and documents of any kind which, in the judgment of the board, are necessary or proper to the exercise of any power of the district, and to direct the payment of all lawful claims or demands.

(4) To assess, levy and collect taxes to pay the cost of acquiring sites for and constructing, reconstructing, altering, operating and maintaining a library or any lawful claims against the district, and the operating expenses of the district.

(5) To employ all necessary agents and assistants.

(6) To call elections after the formation of the district.

(7) To enlarge the boundaries of the district as provided by [ORS 198.705 \(Definitions for ORS 198.705 to 198.955\)](#) to [198.955 \(Disposition of assets\)](#).

(8) Generally to do and perform any and all acts necessary and proper to the complete exercise and effect of any of its powers or the purposes for which it was formed.

(9) Whenever authorized by the electors, to issue general obligation bonds of the district. However, the aggregate amount of general obligation bonds issued and outstanding at any one time shall not exceed two and one-half percent of the real market value of all taxable property of the district, computed in accordance with [ORS 308.207 \(Computation of real market value for taxing or bonding limitations\)](#).

(10) To exercise those powers granted to local government units for public libraries under [ORS 357.410 \(Authority of local government units for public libraries\)](#).

The Board and the Director – A vital relationship

The relationship between the director and the board is an important relationship in the library. They work in partnership to ensure the library is moving in a direction that aligns with the community’s needs.

In a library with an advisory board, typically the director’s supervisor is a manager in the city or county. Depending on the city or county, the advisory board may have some supervisory authority, such as completing performance appraisals, but this is not always the case.

In a special district library, the elected board is the governing authority. The governing board is the director’s employer. They have authority to hire, dismiss, and evaluate.

Below is a chart outlining the roles for the Board and the Library Director. At the Leadership level, they will spend most of their time planning for the future and ensuring that the library is as free of risk as possible. At the Management and Task levels, there is a red line between the two columns. This is the division between board duties and library staff duties. Board members crossing the line are moving into the library director’s role and out of their board role.

	The Board	The Library Director
Leadership	<i>Partner with Library Director</i>	<i>Partner with Board</i>
Where are we going and why?	<i>Risk and the Future</i>	<i>Risk and the Future</i>
	Politics and Influence – advocate for the library with the general public, civic organizations, and public officials; secure adequate funds	Politics and Influence – advocate for the library, attend other civic organizations and public officials’ meetings, secure adequate funds
	Communicate with the public and the director	Communicate with the public and the board
	Regularly attend all board meetings and conduct according to open meeting law	Attend all board meetings, prepare written reports, provide information
	Board recruitment	Board recruitment



	<p>Mission and Vision</p> <p>Strategic planning for the future</p> <p>Ensure that the library is insured and assesses regularly for risk</p>	<p>Mission and Vision</p> <p>Strategic planning for the future</p> <p>Ensure that the library is insured and regularly assesses for risk</p>
<p>Management</p> <p>Goals & Strategies</p>	<p>Approve budget and provide oversight</p> <p>Hire, evaluate the director</p> <p>Approve policies</p> <p>Create and appoint board committees and meetings</p> <p>Communicate with the community</p> <p>Create board bylaws</p> <p>Oversee board projects</p> <p>Ensure that there is a safety program</p>	<p>Propose and manage budget</p> <p>Hire, supervise, and evaluate staff</p> <p>Recommend policies and implement approved policies</p> <p>Organize department</p> <p>Listen to staff and community</p> <p>Create library procedures aligned with board policy</p> <p>Plan and evaluate library projects</p> <p>Implement a safety program</p>
<p>Tasks</p> <p>How we operate</p>	<p>Prepare for meetings – read reports and documents</p> <p>Ensure meeting minutes are retained</p> <p>Approve payments (as appropriate)</p> <p>Participate in regular continuing education</p> <p>Complete assignments and research as needed</p>	<p>Provide the board packet with time for the board to prepare</p> <p>Ensure the efficient operation of the library:</p> <ul style="list-style-type: none"> Cataloging, Collection Development, Continuing Education, Janitorial, Programs, Literacy, Outreach, Records Management, Reference, Technology, Youth Services, and so much more

Concept from Pat Wagner, Pattern Research, Inc.

A Year in the Life of a New Advisory Board Member

This section provides an overview of a sample year for an advisory board member. According to [ORS 357.465 Public Library Board](#):

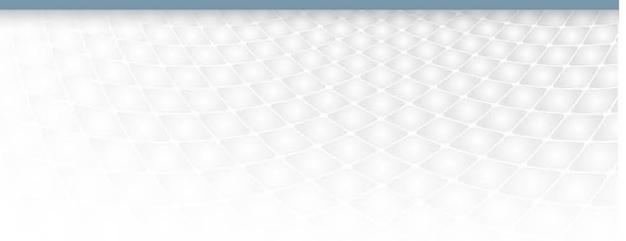
(1) Each public library established under [ORS 357.417 \(Methods of establishing public library by local government unit\)](#) shall be governed by a library board unless some other method is specified in the charter, ordinance or resolution establishing the library.

(2) Upon resolution, ordinance or election pursuant to [ORS 357.417 \(Methods of establishing public library by local government unit\)](#), the governing body may appoint a library board. The library board of a city, county or county service district, as determined by the governing body, shall consist of not less than five members nor more than 15 members. In the case of a school district or community college district, such board shall consist of five, seven or more members at the discretion of the governing body.

Although appointments can be made at any time during the year, for purposes of this Handbook, it will be assumed that the appointment was made so that the new board member will begin in July, the first month of the fiscal year.

Here is a sample fiscal year overview:

<i>Date</i>	<i>Activity</i>
July	<ul style="list-style-type: none"> • Oath of Office • Annual Meeting • Training • Implement New Budget • Implementation of Strategic Plan Goals for Fiscal Year
August	<ul style="list-style-type: none"> • Review of Policies and Budget • Training • Ready to Read Application due
September	<ul style="list-style-type: none"> • Review of Policies and Budget • Training
October	<ul style="list-style-type: none"> • Review of Policies and Budget • Training • Annual Statistical Report due to the State Library of Oregon
November	<ul style="list-style-type: none"> • Review of Policies and Budget • Training



December	<ul style="list-style-type: none"> • Review of Policies and Budget • Training • Ready to Read Final Report due to the State Library of Oregon • Audit, Agreed-Upon Procedures (AUP), or Financial Statement Completion
January	<ul style="list-style-type: none"> • Review of Policies and Budget • Training • Budgeting Process
February	<ul style="list-style-type: none"> • Review of Policies and Budget • Training • Budgeting Process
March	<ul style="list-style-type: none"> • Review of Policies and Budget • Training • Budgeting Process Committee Meetings
April	<ul style="list-style-type: none"> • Review of Policies and Budget • Training • Budgeting Hearing • Board Self-Assessment Process
May	<ul style="list-style-type: none"> • Review of Policies and Budget • Training • Library Director Performance Appraisal Commences • Audit/AUP Process Begins
June	<ul style="list-style-type: none"> • Review of Policies and Budget • Training • Library Director Performance Appraisal Meeting • End of the Fiscal Year Financial Activities

Appointments

Advisory board members are appointed to their position by the governing authority – either a city or county. Advisory board positions are staggered so that members are replaced at varying intervals.

See [ORS 357.465 – Public Library Board](#) for further information.

Cities and counties will each have a unique process for how they appoint new library advisory board members. Once appointed, a new board member is ready for orientation.

Orientation

An essential duty of the board chairperson is to ensure that all new members receive an orientation to their board role. The orientation can be accomplished by the chairperson and the library director and, if possible, completed before the new board member’s first board meeting. Even if a new board member is a library user, the library director will have information about the library and its operation with which they are unfamiliar. Schedule enough time for questions to be answered.

Each new board member should receive a board handbook (in paper and/or electronic formats) with important information about their new role. This book should include:

- the mission and vision of the library
- the current strategic plan
- contact information for all Board members and the director
- schedules of meetings
- the library's annual calendar
- the board's bylaws
- current policies
- current budget
- information on public service ethics
- confidentiality
- EDIA (equity, diversity, inclusion, and antiracism)
- intellectual freedom, freedom to read and other library values
- library services and resources
- resources from the State Library of Oregon and other associations and organizations.

Oath of Office

Typically, board members take an oath of office before they assume their position. This will vary depending on the city or county library establishment documents and the operating procedures. The League of Oregon Cities shared this sample oath that can be used:

I, [insert name of oath taker], do solemnly swear and affirm that I support the Constitution and laws of the United States and the state of Oregon, and of the charter, ordinances, and rules of procedures for the [City/County] of [insert name of applicable city], and that I will faithfully and honorably perform the duties of the office for which I am about to assume.

[FAQ on Oaths of Office](#), March 2023

Annual Meetings

According to [ORS 357.470 Board Organization](#):

After appointment, the public library board shall meet and organize by the election of a chairperson from among its members. The librarian shall serve as secretary to the board and keep the record of its actions.

Organizational activities center around how the board operates. Each year, the board designates one of their meetings as an annual meeting. This date should be set by the board and specified in the board bylaws. At the annual meeting, several items are determined:

- Schedule of regular meeting dates
- Election of officers
 - President or Chair
 - Vice-President or Vice-Chair
 - Treasurer
- Annual review of bylaws and policies

Training

Each board meeting should include a short training session. This allows the board members to learn, ask questions, and gain clarity together on library concepts.

The State Library of Oregon provides access to training resources for library board members. See more information at <https://libguides.osl.state.or.us/publibboard/training>.

Complying with Law

Governmental entities, such as cities and counties, are responsible for keeping the public informed about the actions they take. There is extensive law in Oregon to ensure that the public is aware of the business that is undertaken on their behalf and how the tax funds they pay are utilized. Advisory library boards are held to the same standards.

Below is a list of laws and regulations for which the library should implement policy and procedure. Many times, cities and counties have policies in place that guide the advisory board; however, library policy will clarify the role of the library in enacting and carrying out the policy. The library director, the city or county's attorney, the [State Library of Oregon](#), [League of Oregon Cities](#), [Association of Oregon Counties](#), and [Special Districts Association of Oregon](#) are resources for advisory boards as they comply with these laws.

- Board Duties & Responsibilities: [ORS 357.465 Public Library Board](#)
- Contracting: [ORS Chapter 279a – Public Contracting – General Provisions](#)
- Ethics Statement: [ORS Chapter 244 – Government Ethics](#)
 - Conflict of Interest: [ORS 244.040 – Prohibited use of official position or office](#) and [ORS 357.460 - Financial interest of public library board and appointive body](#)
- Open Meeting Law: [ORS 192.630 – Meetings of governing body to be open to public](#) – ORS 192.610-192.690



- Prevention of Workplace Discrimination, Harassment and Retaliation: [ORS 659A - Unlawful Discrimination in Employment, Public Accommodations and Real Property Transactions; Administrative and Civil Enforcement](#)
- Public Records Law: [Chapter 192 – Records; Public Reports and Meetings](#) – ORS 192.001 – 192.607
- Annual Statistical Reporting: [ORS 357.520 – Annual Report](#)

Policy Development

Some advisory boards are given the authority to enact policies that guide the operations of the library. Each year, the board needs to review policies and add new ones as necessary. The library director typically proposes new policies or updates to existing policies to the board. Some advisory boards have authority to enact policies; for others, they propose new policies to the governing authority for their approval.

Financial Authority

Depending on the city or county, the advisory board may have financial oversight of the library's budget. In some instances, the library director and board propose a budget and the city or county approve and enact it. Check with the city or county to confirm the advisory board's role in budgeting.

The advisory board and the library director should receive a financial report each month from the city or county illustrating how the library's budget is being spent and what amount of the budget remains.

Planning

A strategic plan is a necessity for efficient and effective library action. The current guidelines are for a new plan every three to five years. As the pace of change increases and as the library experiences escalated shifts, the plan may need to be updated more often.

Plans should be based on the needs of the community. Frequently, cities and counties hold a community needs assessment to ensure the alignment of their goals and subsequent actions with the needs of their residents. The library can use this data to inform their planning.

Many libraries carry out an annual customer satisfaction survey. While this primarily reaches library users, the survey results can provide feedback and input about their appreciation of the library and how they would like to see it shift and develop. This information also feeds into a strategic plan.

Data about library use – cardholder rate, circulation of materials, program attendance, interlibrary loan statistics, etc. – also provides important information for the plan. Add demographic data from

the [US Census](#), [Portland State University Population Resource Center](#), the national [Public Libraries Survey](#), and other sources to see a rich picture of the library's community.

All of this information helps the board and library director to create goals that concentrate their efforts to the best effect.

Performance Appraisals – Library Director

Cities and counties often have human resource (HR) departments that guide the performance appraisals for all agency staff. The board may or may not be part of the library director's performance appraisal – check with the HR department.

Recruitment and Hiring – Library Director

Again, the recruitment and selection of a new library director may be under the authority of the city or county HR department. The board should be part of the process, whether on the hiring committee or providing the HR department with the desired education, experience, and characteristics of a new director, as well as a list of library recruitment locations. The board works most closely with the library director and a desirable candidate would ideally work well with the board.

Once a new library director is hired, the board chair/president orients them to the library in a similar fashion to the orientation of a new board member.

Succession Planning

This is an important and easily overlooked activity. While one never wants to think about problems or emergencies occurring, spending time planning for them is critical to the continued smooth operation of the library.

A succession plan outlines what happens in the library when the director has planned a departure at a future point, is unable to work due to an emergency or temporary absence, has a planned long-term absence, or there is an unplanned departure due to unforeseen circumstances. The succession plan outlines what will happen in these situations – who will step in as the interim director, what they will be responsible for, how the interim appointee will be cross-trained prior, how the board will oversee this position, and the details of communicating with the public and other agencies during the transition. It includes the current library director position description, what to look for and what to avoid in a new director, and the hiring process to be followed.

The board ensures that the succession plan is written, implementable, and reviewed annually to update if necessary. The library director compiles procedures to ensure that the interim director and incoming new director have the knowledge and details they need to keep the library operating smoothly.

Reporting

As publicly funded entities, public libraries have a responsibility to provide information on their activities to their community. This occurs in a variety of ways.

Annually, each library reports to the State Library according to [ORS 357.520 Annual Report](#), usually referred to as the Public Library Survey or Annual Statistical Report:

Each public library established under [ORS 357.417 \(Methods of establishing public library by local government unit\)](#) shall make an annual report to the State Library and to the governing body on a form supplied by the State Library.

The report for the prior fiscal year is due to the State Library on October 31. From the [Oregon Public Library Statistics](#) page:

Since 1914, the State Library of Oregon has collected and published data on collections, circulation, staffing, facilities, technology, and other statistics from all legally established public libraries in Oregon. The reporting period for public library statistics aligns with the state fiscal year, from July 1 through June 30 each year.

In addition to this report, libraries may have other reporting requirements to their city or county. Advisory board members work with the library director to make sure that the reports are completed correctly and according to deadlines.

There are also reports that the board receives from the library director each month at regular board meetings. The data in the reports should be decided by the board and director and is updated each month. Ideally, the information reported monthly aligns with the requirements of the Annual Statistical Report – circulation, collections, budget, programming, etc.

Board Self-Assessment

Annually, the board turns an evaluative lens on themselves. A beneficial time is during the last few months of the fiscal year – the board members have had time to work as a team to collaboratively accomplish goals. An impartial, outside agent can be helpful in working through a board self-assessment.

[Dalhousie University](#) has a good model that can be used as is or adjusted to fit the library board's situation. The questions cover areas such as Board job performance, how does the board work together, the board's relationship with the library director, self-reflection questions for each individual, and feedback for the chair/president.

Vacancies & Board Recruitment

Advisory board vacancies arise when a board member's term is complete, or they leave the board. At this point, the process for appointing a new board member occurs. The governing authority, the city or county, will appoint a new board member for a four-year term. For more information, see [ORS 357.465 – Public Library Board](#)

At the expiration of the term of any member of such board, the governing body shall appoint a new member or may reappoint a member for a term of four years. If a vacancy occurs, the governing body shall appoint a new member for the unexpired term. No person shall hold appointment as a member for more than two full consecutive terms, but any person may be appointed again to the board after an interval of one year.

When vacancies occur, the advisory board can take the opportunity to determine what skills they need on the board. Desired characteristics include the following areas of expertise: legal, budgetary and fiduciary, human resources, national trends, collaborative capacity, library knowledge, etc. They can recruit people who hold these areas of knowledge and encourage them to run and/or appoint them to fill a vacancy.

A Year in the Life of a Newly Elected Governing Board Member – From election to the closing of the fiscal year

Special district libraries are a type of local government. They are established by a vote of the residents of a determined area to provide library service for their community. Special district libraries in Oregon are funded through property tax revenues. Five residents of the district area are elected to serve as the Board. Their establishment and authority is provided for in [ORS 357.226 District Board Members - Appointment of Librarian](#):

(1) The officers of the district shall be a board of five members, to be elected by the electors of the district. The district board shall appoint a district librarian, who shall be the secretary for the district.

(2) Any elector residing within the district shall be qualified to serve as a district board member.

Elections for governing board members occur during the May election of odd-numbered years. They begin their tenure on July 1 of the same year, the beginning of the district library's fiscal year.

Below is an example of a fiscal year for an elected board member:

<i>Date</i>	<i>Activity</i>
July	<ul style="list-style-type: none"> • Oath of Office • Annual Meeting • Training • Implement New Budget • Implementation of Strategic Plan Goals for Fiscal Year
August	<ul style="list-style-type: none"> • Review of Policies and Budget • Training • Ready to Read Application due
September	<ul style="list-style-type: none"> • Review of Policies and Budget • Training
October	<ul style="list-style-type: none"> • Review of Policies and Budget • Training • Annual Statistical Report due to the State Library of Oregon
November	<ul style="list-style-type: none"> • Review of Policies and Budget • Training
December	<ul style="list-style-type: none"> • Review of Policies and Budget • Training • Ready to Read Final Report due to the State Library of Oregon • Audit, Agreed-Upon Procedures (AUP), or Financial Statement Completion
January	<ul style="list-style-type: none"> • Review of Policies and Budget • Training • Budgeting Process Begins • Audit Submitted
February	<ul style="list-style-type: none"> • Review of Policies and Budget • Training – Board Retreat • Budgeting Process
March	<ul style="list-style-type: none"> • Review of Policies and Budget • Training • Budgeting Process Committee Meeting
April	<ul style="list-style-type: none"> • Review of Policies and Budget • Training • Board Self-Assessment Process
May	<ul style="list-style-type: none"> • Review of Policies and Budget • Training • Budget Hearing • Library Director Performance Appraisal Commences • Audit/AUP Process Begins
June	<ul style="list-style-type: none"> • Review of Policies and Budget

- Training
- Library Director Performance Appraisal Meeting
- End of the Fiscal Year Financial Activities

Elections

Special District Library Board member elections are held on the regular election date in May of odd-numbered years. Governing board members are elected for four-year terms.

When a district library is established, the length of the five board members' terms is staggered so that the whole board is not replaced in one election. In the establishment documents, it is decided whether the Board members will be elected as at-large or in geographic zones. Nearly all district libraries in Oregon elect their board members at-large.

[ORS 357.241 - Method of electing board members](#)

(1) *The district board members may be elected in one of the following methods or a combination thereof:*

(a) *Elected by the electors of zones as nearly equal in population as possible according to the latest federal census.*

(b) *Elected at large by position number by the electors of the district.*

(2) *Candidates for election from zones shall be nominated by electors of the zones.*

Orientation

An essential duty of the board president is to ensure that all newly elected members receive an orientation to their new role. The orientation can be accomplished by the president and the library director and, if possible, completed before the new board member's first board meeting. Schedule enough time for questions to be answered.

Each new board member should receive a board book (in paper and/or electronic formats) with important information about their new role. This book should include:

- the mission and vision of the library
- the current strategic plan
- contact information for all Board members and the Director
- schedules of meetings
- the district library's annual calendar
- the board's bylaws

- current policies
- current budget
- information on public service ethics
- confidentiality
- EDIA (equity, diversity, inclusion and antiracism)
- intellectual freedom, freedom to read and other library values
- library services and resources
- resources from the State Library of Oregon and other associations and organizations, including Special Districts Association of Oregon.

Oath of Office

Governing board members take an oath of office before they assume their elected office. This [sample oath](#) is from the Deschutes Public Library and is typical of the oaths of office for a special district library board member:

I, _____, do solemnly swear (or affirm) that I will support the constitution of the United States, the constitution of the state of Oregon and the laws thereof, and the policies of the [Library District]. During my term, I will faithfully and impartially discharge the responsibilities of the Office of [Library District] Board Member to the best of my ability.

_____ *Board Member*

Attest:

_____ *Board Secretary*

Attest:

Annual Meetings

Each year, the Board designates one of their meetings as an annual meeting. This date should be set by the board. At the annual meeting, several items are determined:

- Schedule of regular meeting dates
- Election of officers
 - President or Chair
 - Vice-President or Vice-Chair
 - Treasurer
- Confirm the library director as the secretary to the board and keeper of the Board's records.
- Annual review of bylaws and policies
- Designation of authorized signers for bank accounts

- Appointment of agents of record (e.g., insurance)
- Approval of annual contracts (e.g., legal services)
- Authorizing online, electronic, and automatic payment of vendors' bills

According to [ORS 357.256 – Board as district governing body – selection of president](#)

(1) The district board shall be the governing body of the district and shall exercise all powers thereof.

(2) At its first meeting or as soon thereafter as may be practicable, the board shall choose one of its members as president. [1981 c.226 §9]

The library director notifies the media of the board's schedule of regular meeting dates:

[ORS 192.640 – Public notice required – special notice for executive sessions or special or emergency meetings](#)

(1) The governing body of a public body shall provide for and give public notice, reasonably calculated to give actual notice to interested persons including news media which have requested notice, of the time and place for holding regular meetings. The notice shall also include a list of the principal subjects anticipated to be considered at the meeting, but this requirement shall not limit the ability of a governing body to consider additional subjects.

(2) If an executive session only will be held, the notice shall be given to the members of the governing body, to the general public and to news media which have requested notice, stating the specific provision of law authorizing the executive session.

(3) No special meeting shall be held without at least 24 hours' notice to the members of the governing body, the news media which have requested notice and the general public. In case of an actual emergency, a meeting may be held upon such notice as is appropriate to the circumstances, but the minutes for such a meeting shall describe the emergency justifying less than 24 hours' notice.

Training

Each board meeting should include a short training session. This allows the board members to learn, ask questions, and gain clarity on library concepts together.

The State Library of Oregon provides access to training resources for library board members. See the webpage at <https://libguides.osl.state.or.us/publibboard/training>.

Complying with Law

Governmental entities, such as special districts, are responsible for keeping the public informed about the actions they take. There is extensive law in Oregon to ensure that the public is aware of the business that is undertaken on their behalf and how the tax funds they pay are utilized. Special district library boards are held to these standards.

Below is a list of such laws and regulations for which the library should implement policies and procedures. The library director, the library's attorney, the [State Library of Oregon](#), and the [Special Districts Association of Oregon \(SDAO\)](#) are resources for governing boards as they comply with these laws.

- District Board Duties and Responsibilities: [ORS 357.261 – District powers](#) and [ORS 357.410 – Authority of Local Government Units for Public Libraries](#)
- Contracting: [ORS Chapter 279a – Public Contracting – General Provisions](#)
- Ethics Statement: [ORS Chapter 244 – Government Ethics](#)
 - Conflict of Interest: [ORS 244.040 – Prohibited use of official position or office](#) and [ORS 357.460 - Financial interest of public library board and appointive body](#)
- Open Meeting Law: [ORS 192.630 – Meetings of governing body to be open to public](#) – ORS 192.610-192.690
- Prevention of Workplace Discrimination, Harassment and Retaliation: [ORS 659A - Unlawful Discrimination in Employment, Public Accommodations and Real Property Transactions; Administrative and Civil Enforcement](#)
- Public Records Law: [Chapter 192 – Records; Public Reports and Meetings](#) – ORS 192.001 – 192.607
- Reporting: [ORS 357.520 – Annual Report](#)

Policy Development

Governing boards hold the authority to enact policies that have the force of law in their district boundaries. Each year, the board needs to review policies, update and add new ones, as necessary. The library director typically proposes new policies or updates to older policies to the board.

Financial Authority

According to [ORS 357.266 – Financing District Activities – limitation on assessment](#)

Each year the district board shall determine and fix the amount of money to be levied and raised by taxation, for the purposes of the district. The total amount in



dollars and cents shall not exceed one-fourth of one percent (0.0025) of the real market value of all taxable property within the district computed in accordance with [ORS 308.207 \(Computation of real market value for taxing or bonding limitations\)](#).

Each year, the district library board and library director follow the [Oregon Department of Revenue Local Budget Law](#) process that is required for all local government entities in Oregon.

In addition to budgeting for tax revenue, governing boards also have financial oversight. They truly are the stewards of the public funds for their district library. The board should receive a financial report each month illustrating how the library's budget is being spent and what amount of the budget remains. Annually the board is also responsible for ensuring that the district's audit, Agreed-Upon Procedures (AUP), or financial statements are submitted to the Oregon Secretary of State, which oversees [municipal audits](#).

Planning

A strategic plan is a necessity for efficient and effective library action. The suggested guidelines are for an updated plan every three to five years with an annual review. As the pace of change increases and as the library experiences escalated growth, the plan may need to be updated more often.

Plans should be based on the needs of the community. Frequently, special districts hold a community needs assessment to ensure the alignment of their goals and subsequent actions with the needs of their residents. The library can take advantage of this data to inform their planning.

Many district libraries carry out an annual customer satisfaction survey. While this primarily reaches library users, the survey results can provide feedback and input about their appreciation of the library and how they would like to see it shift and develop. This information also feeds into a strategic plan.

Data about library use – cardholder rate, circulation of materials, program attendance, interlibrary loan statistics, etc. – also provides important information for the plan. Add demographic data from the [US Census](#), [Portland State University Population Resource Center](#), the national [Public Libraries Survey](#), and other sources to see a rich picture of the library's community.

All of this information helps the board and library director create goals that concentrate their efforts to the best effect.



Performance Appraisals – Library Director

A governing board is the library director's supervisor. They have the responsibility of hiring, supervising, and evaluating. Annually, the library director should go through a performance appraisal process with the board, just as the library director annually evaluates the library staff.

Governing boards develop a position description and appraise the library director on their performance in accomplishing the requirements of the position. This can be accomplished in many ways. It is helpful for the board to work with the [Special Districts Association of Oregon \(SDAO\) Human Resources Services](#) or other consultants to develop this process if there is not one in place.

SDAO has a video recording of a conference session that is helpful. It is entitled, *Making Executive Director Performance Evaluation Meaningful* and is found on [their website](#).

Recruitment and Hiring – Library Director

The recruitment and selection of a new library director is an extremely important part of the governing board's work. Again, if there is not a process in place, working with the [SDAO Human Resources Services](#) or other consultants can be very helpful to ensure that the process is not only in alignment with the law, but also nets the district with the best candidate.

Once a new library director is hired, the board chair/president orients them to the library in a similar fashion to the orientation of a new board member.

Succession Planning

This is an important and easily overlooked activity. While one never wants to think about problems or emergencies occurring, spending time planning for them is critical to the continued smooth operation of the library.

A succession plan outlines what happens in the library when the director has planned a departure at a future point, is unable to work due to an emergency or temporary absence, has a planned long-term absence, or an unplanned departure due to unforeseen circumstances. The succession plan outlines what will happen in these situations – who will step in as the interim director, what they will be responsible for, how the interim appointee will be cross-trained prior, how the board will oversee this position, and the details of communicating with the public and other agencies during the transition. It includes the current library director position description, what to look for and what to avoid in a new director, and the hiring process to be followed.

The board ensures that the succession plan is written, implementable, and reviewed annually to update if necessary. The library director compiles procedures to ensure that the interim director and incoming new director have the knowledge and details they need to keep the library operating smoothly.



Reporting

As publicly funded entities, public libraries have a responsibility to provide information on their activities to their community. This occurs in a variety of ways.

Annually, each library reports to the State Library of Oregon according to [ORS 357.520 Annual Report](#), usually referred to as the Public Library Survey or Annual Statistical Report:

Each public library established under [ORS 357.417 \(Methods of establishing public library by local government unit\)](#) shall make an annual report to the State Library and to the governing body on a form supplied by the State Library.

The report for the prior fiscal year is due to the State Library on October 31. From the [Oregon Public Library Statistics](#) page:

Since 1914, the State Library of Oregon has collected and published data on collections, circulation, staffing, facilities, technology, and other statistics from all legally established public libraries in Oregon. The reporting period for public library statistics aligns with the state fiscal year, from July 1 through June 30 each year.

There are also reports that the board receives from the library director each month at regular board meetings. The data in the reports should be decided by the board and director and is updated each month. Ideally, the information reported monthly aligns with the requirements of the annual Public Library Statistics report – circulation, collections, budget, programming, etc.

Board Self-Assessment

Annually, the board turns an evaluative lens on themselves. A beneficial time is during the last few months of the fiscal year – the board members have had time to work as a team to collaboratively accomplish goals. An impartial, outside agent can be helpful in working through a board self-assessment.

For special district libraries, SDAO provides a [Board Practices Assessment and Board Governance Questionnaire](#). It is an excellent tool to build awareness of the board's strengths and weaknesses and where they would want to make adjustments.

[Dalhousie University](#) has a good model that can be used as is or can be adjusted to fit the library board's situation. The questions cover areas such as board job performance, how does the board work together, the board's relationship with the library director, self-reflection questions for each individual, and feedback for the chair/president.

Other Responsibilities

Governing boards are the governing authority for the district library. As such, they are responsible for the overall operation of the district. The following details responsibilities that must be attended to in order to keep the district library operating safely and steadily:

- Risk Management – These are strategies for preventing and alleviating losses. The governing board ensures that the district is insured and safety procedures and training are part of the personnel activities.
- Insurance – The district needs to have several types of insurance to mitigate any issues: Worker’s Compensation, Liability Insurance, and others.

Vacancies & Board Recruitment

When a board member’s term of office is complete on June 30, they may have been re-elected or a new person has been elected to fill the position. If someone leaves their position early, the remainder of the governing board will appoint someone as authorized in the following ORS – see the highlighted sections of each statute:

[ORS 357.236 Election of Board Members – Vacancy](#)

(1) If two or three board members are to be elected at a regular district election at large, the candidates receiving the highest number of votes shall be elected. If one or more board members are to be elected by zone, the candidate receiving the highest number of votes in each zone shall be elected.

(2) Each district board member elected shall take an oath of office and shall hold office from July 1, next following election.

(3) THE DISTRICT BOARD SHALL FILL ANY VACANCY ON THE BOARD AS PROVIDED IN ORS 198.320 (FILLING OF VACANCIES ON GOVERNING BODIES OF CERTAIN DISTRICTS).

(4) The term of a district board member is four years.

[ORS 198.320 – Filling of Vacancies on Governing Bodies of Certain Districts](#)

(1) EXCEPT AS OTHERWISE PROVIDED BY LAW, A VACANCY IN AN ELECTED OFFICE IN THE MEMBERSHIP OF THE GOVERNING BODY OF A DISTRICT SHALL BE FILLED BY APPOINTMENT BY A MAJORITY OF THE REMAINING MEMBERS OF THE GOVERNING BODY. IF A MAJORITY OF THE MEMBERSHIP OF THE GOVERNING BODY IS VACANT OR IF A MAJORITY CANNOT AGREE, THE VACANCIES SHALL BE FILLED PROMPTLY BY THE COUNTY COURT OF THE COUNTY IN WHICH THE ADMINISTRATIVE OFFICE OF THE DISTRICT IS LOCATED.

(2) This subsection applies to districts defined in [ORS 255.012 \(“District” defined\)](#) which have a regular district election on a date specified in [ORS 255.335 \(Regular district election\)](#). The period of service of a person appointed under subsection (1) of this section shall expire June 30 next following the next regular district election at which a successor is elected. The successor shall be elected to serve the remainder, if any, of the term for which the appointment was made. If the term for which the appointment was made expires June 30 after the election of the successor, the successor shall be elected to a full term. In either case the successor shall take office July 1 next following the election.

(3) This subsection applies to districts not included in subsection (2) of this section. The period of service of a person appointed under subsection (1) of this section shall expire on the day before the first Monday in January of the year next following the election at which a successor is elected. The successor shall be elected to serve the remainder, if any, of the term for which the appointment was made. If the term for which the appointment was made expires on the day before the first Monday in January after the election of a successor, the successor shall be elected to a full term. In either case, the successor shall take office on the first Monday in January of the year next following the election.

When vacancies occur, the governing board can take the opportunity to determine which skills are needed on the board. Desired characteristics include the following areas of expertise: legal, budgetary and fiduciary, human resources, national trends, collaborative capacity, library knowledge, etc. They can recruit people who hold these areas of knowledge and encourage them to run and/or appoint them to fill a vacancy.

Section 3 - Best Practices for Library Board Members

After looking at an example of a fiscal year for an advisory or governing board member, it may seem overwhelming. This section provides best practices for many board responsibilities to help and support board members as they move through their work.



Advocacy & Community Relations

Today, more than ever, public libraries need strong supporters and advocates. Advocacy is defined in [Merriam-Webster dictionary](#) as,

“The act or process of supporting a cause or proposal: the act or process of advocating”

A significant role for board members is the role of advocate for the library. Board members represent community members’ points of view, and they also can share the library’s story with the community.

There are many ways for a board to advocate for the library:

- Providing reports and presentations for the public and other local agencies and organizations
 - The library director can make the presentations and board members are present to support them
- Writing letters to local media
- Sharing with as many people as possible the wonderful things that are happening at their library
- Having meaningful discussions about decisions to be made, and being very clear about why the board made the decision it did
- Answering questions that arise from the public about the library.

Building strong community relationships all the time helps the library remain resilient in times of conflict and contention.

Budget & Fiscal Authority

- Authority
 - Advisory Boards – The city or county are the fiscal authority for city or county libraries. [Oregon Revised Statutes \(ORS\) 357.430 Methods of Financing Public Library by Local Government Unit](#) provides financial information for city or county libraries. As such, the advisory board may or may not be given any authority over the finances of the library.
 - Governing Boards – The board of a special district library has the fiscal authority to levy taxes in support of library services, to set a budget, and to implement and provide oversight to the approved budget. [Oregon Revised Statutes \(ORS\) 357.261 District Powers](#), [ORS 357.266 Financing District Activities](#), [ORS 357.271 Sinking Funds for Acquisition of Facilities](#), and [ORS 357.276 Deposit and Disbursement of District Funds](#)

provide authority for the governing board to financially operate the special district library.

- Budgeting
 - Advisory Boards – Typically, the board and the library director of the city or county library propose a budget and submit it to the city or county. The library’s budget proposal is then combined within the larger city or county budget proposal. The city or county follows [Oregon’s Local Budget Law](#) process (see below).
 - Governing Boards – The board is responsible for the budgeting process from appointing a budget officer (typically the library director) to proposal to oversight. From [Oregon’s Local Budget Law](#), local taxing entities follow this process:
 - The budget officer prepares a proposed budget.
 - Notice of the budget committee meeting is published.
 - The budget document is made available at or before the meeting.
 - The budget committee conducts at least one public meeting for questions or comments.
 - The budget committee approves the budget.
 - Notice of the public hearing and a summary of the approved budget are published.
 - The governing body conducts a public hearing on the approved budget.
 - The governing body, after public comment and deliberations, adopts the budget and enacts resolutions or ordinances by June 30.
 - The governing body certifies the district’s tax, if any, to the county assessor by July 15.
- Tax Revenue
 - Advisory Board – The governing authority, city or county, levies to collect tax revenue.
 - Governing Board – As the governing authority, the board is given authority *to determine and fix the amount of money to be levied and raised by taxation, for the purposes of the district*. See [ORS 357.266 Financing District Activities](#).
 - Property Tax Compression: Oregon’s property tax system is shaped by two constitutional amendments, Measures 5 and 50. Property tax compression occurs when a passed tax increase for general government, such as a district, hits the Measure 5 dollar-limit of \$10 per \$1,000 of either a property’s Measure 50-defined assessed value or its real market value, whichever is lesser. If such taxes exceed the limit for a property, the taxes are reduced or "compressed" until the limit is achieved.
- Audit
 - Most publicly funded local government is required, with few exceptions, to have an annual audit or Agreed Upon Procedures of the fiscal activities of the entity. Smaller entities are required to submit financial statements. From the Secretary of State Audits

Division:

Oregon law requires local governments to file annual financial audit reports and other items within 180 days of fiscal year end with the Secretary of State Audits Division ([Oregon Revised Statute 297.405 - 297.990](#)).

- Advisory Board – The city or county is in charge of ensuring that the financial reporting is completed for their agency.
- Governing Board – The board is responsible for ensuring that the financial reporting is completed for the district.

Facilities, Vehicles, and Other Capital Assets

An important part of library service is the facility from which the service is provided. Buildings and vehicles (if applicable) are under the purview of the governing authority – for city or county libraries, it is the agency administration and the council or commission; for special districts, it is the governing board. It is their responsibility to ensure that the facilities and vehicles are safe, clean and able to provide library services.

The first step is knowing the city, county or state laws and requirements for making capital changes or improvements. There may be regulations that impact planning, design, purchasing, or building and it is imperative to know these before the process is too advanced.

Actions taken should align with the strategic planning done by the board and library director. If the library needs to ask the voters for a bond or local option levy, the information highlighting the need for the funds should be clear and documented.

Boards should also ensure that the library budget includes emergency funds in case of unforeseen circumstances. Fires, floods and other unexpected circumstances occur and having funds set aside for these makes good sense and is excellent caretaking of public facilities.

Board as an Employer

Working in partnership with the library director is a critical element of being a board member. In the case of a district library, the governing board is the library director's supervising body, their employer. Advisory and governing boards have a responsibility to ensure that their employee, the library director, has a safe and empowering working environment. In cities and counties, the advisory board may have less supervisory authority than a governing Board, but both provide advocacy, support, and leadership.

Recruitment and Hiring

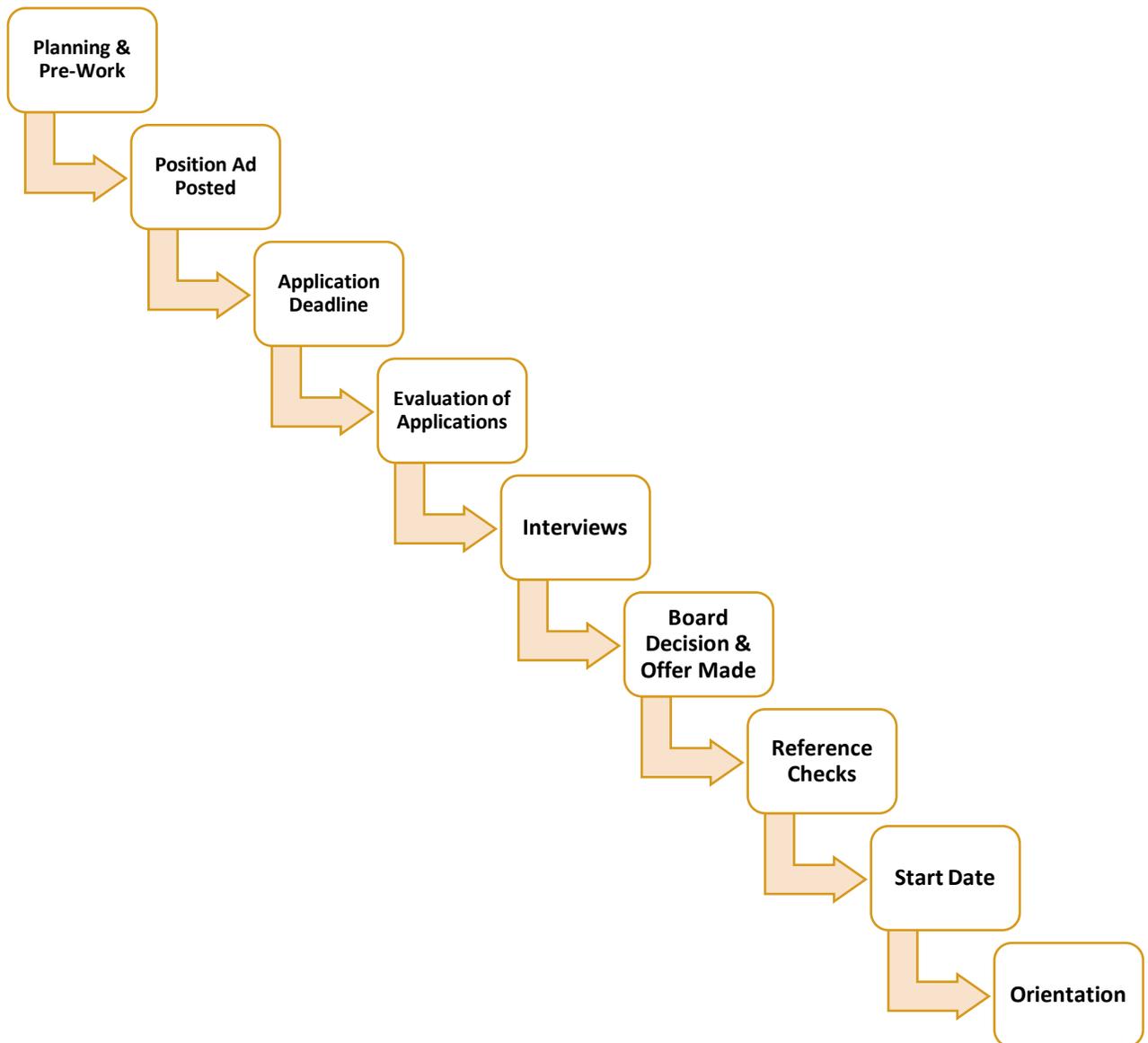
Because the relationship between the board and the library director is so important, recruitment and hiring are of vital importance.

For advisory boards, the recruitment and selection of a new library director are most likely under the authority of the city or county Human Resources (HR) department. The advisory board should be part of the process, however, whether having membership on the hiring committee or providing the HR department with a list of desired characteristics, education, experience, as well as a list of library recruitment locations.

Governing boards are responsible for the recruitment and hiring process. If the district library has no process in place, working with the [SDAO Human Resources Services](#) or other consultants can be very helpful to ensure that the process is not only in alignment with the law, but also nets the district with the best candidate.

Many libraries choose to work with an outside consultant to manage the recruitment and hiring process. WebJunction, an online resource for libraries, has a webinar – [Navigating the library director hiring process: A guide for trustees and boards](#) – that can be helpful for the board to review before starting the process.

A quick overview of a hiring process might look like this:



The process begins with following the succession plan that the board has approved. Several tasks include the following:

- a pre-hire job analysis answering the question, “Does the position need to be filled?” If yes, continue...

- the position description needs to be updated with desired characteristics, education, experience, etc.
- the salary to offer determined
- advertisement content generated
- lists of posting places developed
- application evaluation rubric created
- the composition of the hiring committee established.

Once these planning elements are in place, the process continues. Once an offer is made, the board chair/president works through the orientation to the library with the new library director.

Performance Appraisal

Annually, the board should provide a performance appraisal process for the library director, just as the library director annually evaluates the library staff. The annual performance appraisal provides the director with clarity about board expectations, how well they are carrying out the requirements of the position, opens the lines of communication, and allows the board to acknowledge the leadership and accomplishments of the library director.

The advisory board will work with the city or county HR department and follow their proscribed format and methodology. The board may be given authority to complete the process or it may be done with an agency administrator.

Governing boards develop a position description and appraise the library director on their performance in accomplishing the requirements of the position. This can be completed in many ways; if the district library does not have a process in place, it is helpful for the Board to work with the [SDAO Human Resources Services](#) or other consultants to develop this process. SDAO has a video recording of a conference session that is helpful. It is entitled, *Making Executive Director Performance Evaluation Meaningful* and is found on [their website](#).

Ethics of Public Service

The [Oregon Government Ethics Commission](#) “*impartially and effectively administer and enforce Oregon’s Government Ethics Laws for the benefit of Oregon’s citizens.*” From their website:

The provisions in Oregon Government Ethics law restrict some choices, decisions or actions of a public official. The restrictions placed on public officials are different than those placed on private citizens because service in a public office is a public trust and the provisions in [ORS Chapter 244](#) were enacted to provide one safeguard for that trust.

Public officials must know that they are held personally responsible for complying with the provisions in Oregon Government Ethics law. This means that each public official must make a personal judgement in deciding such matters as the use of official position for financial gain, what gifts are appropriate to accept, when to disclose the nature of conflicts of interest, and the employment of relatives or household members. If a public official fails to comply with the operative statutes, a violation cannot be dismissed by placing the blame on the public official's government employer or the governing body represented by the public official.

Resources for board members concerning Oregon Government Ethics law include:

- [Oregon Government Ethics Law – A Guide for Public Officials](#)
- [Oregon Government Ethics Commission Training & Educational Resources](#)
- [ORS Chapter 244 Government Ethics](#)
- [ORS 357.460 Financial Interest of Public Library Board and Appointive Body - Compensation](#)

Conflict of Interest

Conflict of interest for board members, who are public officials, whether appointed or elected, is defined in [ORS 244.020 Definitions](#) as:

(1) “Actual conflict of interest” means any action or any decision or recommendation by a person acting in a capacity as a public official, the effect of which would be to the private pecuniary benefit or detriment of the person or the person’s relative or any business with which the person or a relative of the person is associated unless the pecuniary benefit or detriment arises out of circumstances described in subsection (13) of this section.

And in the same statute:

(13) “Potential conflict of interest” means any action or any decision or recommendation by a person acting in a capacity as a public official, the

effect of which could be to the private pecuniary benefit or detriment of the person or the person's relative, or a business with which the person or the person's relative is associated, unless the pecuniary benefit or detriment arises out of the following:

(a) An interest or membership in a particular business, industry, occupation or other class required by law as a prerequisite to the holding by the person of the office or position.

(b) Any action in the person's official capacity which would affect to the same degree a class consisting of all inhabitants of the state, or a smaller class consisting of an industry, occupation or other group including one of which or in which the person, or the person's relative or business with which the person or the person's relative is associated, is a member or is engaged.

(c) Membership in or membership on the board of directors of a nonprofit corporation that is tax-exempt under section 501(c) of the Internal Revenue Code.

In [ORS 357.460 Financial Interest of Public Library Board and Appointive Body - Compensation](#), library board members are cautioned:

(1) No member of any public library board or the body appointing such board shall have any financial interest, either directly or indirectly, in any contract to which the library is a party, nor shall receive a salary or any payment for material or for services rendered the board.

(2) Board members may be reimbursed for expenses incurred in the performance of their duties.

In [ORS 244.025 Gift Limit](#):

(1) During a calendar year, a public official, a candidate or a relative or member of the household of the public official or candidate may not solicit or receive, directly or indirectly, any gift or gifts with an aggregate value in excess of \$50 from any single source that could reasonably be known to have a legislative or administrative interest.

(2) During a calendar year, a person who has a legislative or administrative interest may not offer to the public official or a relative or member of the household of the public official any gift or gifts with an aggregate value in excess of \$50.

(3) During a calendar year, a person who has a legislative or administrative interest may not offer to the candidate or a relative or member of the household of the candidate any gift or gifts with an aggregate value in excess of \$50.

(4) This section does not apply to public officials subject to the Oregon Code of Judicial Conduct.

Official Recognition of a Public Library

A public library must be legally established and meet the minimum conditions to be officially recognized by the State Library of Oregon.

Public library establishment is achieved in a variety of ways depending on the type of library. For more information, see the [Oregon Library Districting Toolkit](#).

- In order for local governments to establish a public library, they must follow [ORS 357.417 - Methods of Establishing Public Library by Local Government Unit](#)
- In order for a special district library or county service district library to be established, there is extensive law and procedure to be followed. The three essential ORS chapters are:
 - [ORS Chapter ORS 198](#) defines “districts” and sets forth the formation process for districts, including library districts.
 - [ORS Chapter 357](#) sets forth how a *special* district is formed.
 - [ORS Chapter 451](#) sets forth how a *county service* district is formed.

Once a library is established, there are minimum conditions that must be met in order to be considered a “public library.” In 2019, the Oregon legislature passed HB 2243. This bill updated the legal definition of a “public library” in [ORS 357.400](#) to the following -

- “Public library” means a public agency that provides to all residents of a local government unit free and equal access to library and information services that are suitable for persons of all ages.

- Required the State Library Board to establish minimum conditions that a public library must meet. These conditions must, at least:
 - Include financial support from public funds and regularly scheduled open hours; and
 - Provide reasonable exemptions to libraries with service populations of 2,000 or fewer residents of the local government unit.

The final minimum conditions were approved by the State Library Board ([ORS 357.405](#)) on October 18, 2019, and the minimum conditions became effective on January 1, 2020 as [OAR 543-010-0036](#). The Oregon Administrative Rules (OAR) include the following details:

- ***For public libraries serving communities of 2,000 or less:***
 - *Have at least one-fourth (25%) of its operational support from public funds*
 - *Be open to the public a minimum of 10 hours per week*
 - *Provide a collection comprising of books, media, or electronic resources*
 - *Offer at least one free public access computer with internet access*
 - *Offer free public wireless internet access (wi-fi)*
 - *Provide a website that enables local library users to access State Library of Oregon resources and services available to all Oregon residents*
 - *Dedicate at least .25 full-time equivalent (FTE) paid staff time exclusively to library functions*
 - *Have basic policies in place and accessible online for collection management, circulation and patron confidentiality that incorporates relevant American Library Association (ALA) professional ethical codes, rules, and guidelines*
 - *Provide basic services for reference and youth services*
 - *Complete the annual statistical report as required under [ORS 357.520](#) and [OAR 543-010-0035](#)*
- ***For public library serving communities of more than 2,000:***
 - *Have at least one-half (50%) of its operational support from public funds*

- *Be open to the public a minimum of 20 hours per week*
- *Provide a collection comprising of books, media, or electronic resources*
- *Offer at least one free public access computer with internet access*
- *Offer free public wireless internet access (wi-fi)*
- *Provide a website that enables local library users to access State Library of Oregon resources and services available to all Oregon residents*
- *Dedicate at least .50 full-time equivalent (FTE) paid staff time exclusively to library functions*
- *Have basic policies in place and accessible online for collection management, circulation and patron confidentiality that incorporates relevant American Library Association (ALA) professional ethical codes, rules, and guidelines*
- *Provide basic services for reference and youth services*
- *Complete the annual statistical report as required under [ORS 357.520](#) and [OAR 543-010-0035](#)*

Member of the Oregon Library Community

When a board member is appointed or elected, they become a member of the Oregon library community. Library community members share ideas, questions, and information on current issues. It is an invaluable resource for every library.

Board members are encouraged to join the [Oregon Library Association \(OLA\)](#). Joining at the Students, Unemployed & Retired Librarians, Trustees, and Friends rate is inexpensive and opens board members to a world of resources, conferences, and collaboration.

There are other organizations that may be of interest to board members:

- [United for Libraries – Association of Library Trustees, Advocates, Friends and Foundations, part of the American Library Association \(ALA\)](#)
- [The Association for Rural & Small Libraries \(ARSL\)](#)
- [The Pacific Northwest Library Association \(PNLA\)](#)

Planning for the Future

A plan for moving forward is not only a good thing to have, but also a necessity. There are many ways to do planning; the key element is that it is based on the needs of the community. Another important consideration is that the plan should be used, so the final document should hold a mix of inspiration and practicality.

It is important to involve the community in whatever process is chosen. Create a planning committee consisting of representatives from the Board, library staff, community groups, residents from all parts of the library jurisdiction, and members of the Friends of the Library and/or Foundation. This planning committee will work through a planning process ultimately selecting goals.

A planning process might look like the following – keep in mind that it is not a linear process:

With the Planning Committee

- Planning to Plan
 - Who?
 - How?
 - How much?
- Vision
 - What will the library be like?
 - Where is it going?
- Mission
 - Mandates
 - Defines purpose & parameters
- Data Collection and Analysis
 - Community Needs Assessment
 - Meetings with Stakeholders
 - Internal & External Environment Scan
 - Statistics
- Issues to be Addressed
 - Strengths Weaknesses Opportunities Threats (SWOT) or Strengths Opportunities Aspirations Results (SOAR) analysis
 - Strategic or critical directions
- Goals
 - Desired outcomes

Library Director & Staff Finalize

- Measures of Success
 - Evaluative criteria
- Strategies or Objectives
 - Provides direction toward goal
- Activities & Tasks
 - Details of how staff will accomplish the goals
- Resource Review
 - What is available and what is needed
- Putting it All Together
 - Writing the document
 - Communicating
- Board Approval
- Implementation
- Review Process
 - Monitoring
 - Reporting results
 - Updating annually

Policy Development

Policies ensure that the library operates smoothly. Advisory boards typically propose policies, and the governing body (city or county) passes them into law. Governing boards' policies, when approved by a quorum in open meeting, have the force of law. The library director and staff are critical in the development of policies as they have first-hand knowledge of their effect.

Policies should be reviewed at least annually. A good practice is to provide a footer to the policy which shows when the policy was first enacted and the successive years of review and update. It is also good to note the ORS with which the policy aligns. A policy review cycle might look like this:

- Inventory Phase – Know what policies currently exist and what laws have been enacted that affect library policies
- Assessment Phase – Evaluate current library policies
- Development Phase – Revise, update, and develop policies for board approval
- Implementation Phase – Get approval, disseminate, implement, and maintain

The elements that make a good policy include the following:

- Complies with the current law – federal, state, and local
- Promotes the best interest of all members of the community
- Consistent with the library’s mission
- Clearly written and understandable
- Fair to all and respectful of individual rights and individual differences
- Observes alignment with EDIA essentials
- Available for review and reference by the public
- Promotes positive public image for the library
- Considers library staff input
- Is not reactive to a single situation
- Its necessity is easily explained by front line staff members who will enforce it.

The legality of all policies should be considered before approval. Advisory boards should gain input from the city or county legal counsel. Governing boards should work with their district attorney. The following are tests of a legally enforceable policy:

- Must comply with current statutes and court cases
- Must be reasonable (and all penalties reasonable)
- Must be clear – not ambiguous or vague
- Must be applied without discrimination.

There are essential policies that each library needs to have in their policy manual:

- **Library Cards/Services** – These policies are about access and availability to library services, programs, and resources. This includes operational type policies that directly affect service to customers, from hours open to circulation to programs to managing overdue and lost materials, to the most important, patron confidentiality.
- **Rules of Conduct and Behavior** – These policies are about providing a safe and appropriate environment for the public and staff. Behavioral standards must comply with applicable laws, must clearly outline acceptable conduct for use of the library, and most, importantly, must be applied consistently to everyone. This includes a conduct policy that addresses unattended children, weapons, harassment, and more. Cities and counties often have ordinances on these topics, and library policies should align with those.
- **Community Relations** – these policies outline how the library communicates with the public and what role the staff and board play.
- **Volunteers** – Library volunteers are important to the overall library service and the policies that govern how they interact with the library should be written with care. Policy should

cover volunteers' duties and limitations, recruitment and selection, roles and responsibilities, recognition and rewards, and how the library works with the Friends of the Library and/or Foundation organizations.

- **Interagency Cooperation** – These policies provide guidance for how the library interacts with other libraries, schools, and other agencies. Libraries may have agreements and contracts that they enter into and there should be policy that provides oversight. These policies are common in libraries that are a part of larger resource-sharing networks.
- **Physical Facilities and Vehicles** – City or county libraries will have ordinances that cover this area. District libraries will work with their liability insurer and legal counsel to ensure that there are policies to ensure the safety of library facilities and vehicles.
- **Materials and Collections** – These are some of the most important policies and are affected by the most frequent public challenges, especially to library materials and programs. Ensuring that the policies are legally defensible will protect the library, city, or county against liability.
- **Personnel** – All personnel policies must comply with extensive federal, state, and local laws that guarantee employees a safe and non-discriminatory work environment. Cities and counties will have personnel policies and procedures that library staff will fall under. District libraries can work with Special Districts Association of Oregon for guidance, as well as the district's legal counsel.
- **Technology & Cybersecurity** – Given the speed of change in these areas, relevant policies will need to be reviewed and updated often. Working with the library's risk management coordinator is a good place to start.
- **Finance and Contracting** – Policies that specify how the library purchases materials and services, manages finances, contracts with vendors, etc. Cities and counties typically have their own policies that the library would follow. The governing board of district libraries needs to establish these policies.
- **Board Governance/Bylaws** – These policies clarify how a board member fulfills their position. Board bylaws are extremely important and should be reviewed annually and shared with incoming board members before their first meeting. Policies include open meetings, officers, code of ethics, conflicts of interest, and the roles and responsibilities of a board member.

The Oregon Administrative Rules (OAR) that implement ORS 357.405 Minimum Conditions for Public Libraries, state that the library must have basic policies in place and accessible online, particularly:

- Collection Management
- Circulation

- Patron Confidentiality that incorporates relevant American Library Association (ALA) professional [ethical codes, rules and guidelines](#)

See the State Library of Oregon [online guide](#) that provides more information and helpful resources.

A note of caution: policies are the purview of the board, and procedures fall under the purview of the library director and staff. Policies answer the why and what, and provide for a broad course of action. Procedures answer how something will be accomplished and are specific courses of action. Exceptions to this are the grievance procedure, the public record requests procedure, and the procedure if someone wishes to challenge a library material or service, which the board should approve. See the chart below:

<i>Policy</i>	<i>Procedure</i>
<i>Why & what</i>	<i>How & best practices</i>
Broad course of action	Specific courses of action
More philosophical	More technical
Guidance to determine present and future decisions	Developed to carry out policy
Reflects values, mission and roles of the library and/or its parent institution	Ditto
Developed by board with input from director and staff	Developed by director and staff
Requires board action to change	Changed by director with staff
Basis for procedures but not detailed course of action	Detailed courses of action to carry out policies
Protects rights and assures fair treatment of all patrons and staff members	Ditto
Develop before needed	Ditto
Review annually	Review continually
Align with Oregon Revised Statutes (ORS)	Align with policy and/or ORS

Protecting Intellectual Freedom

Intellectual freedom is defined by the [American Library Association \(ALA\) Office of Intellectual Freedom](#) as

“The rights of library users to read, seek information, and speak freely as guaranteed by the First Amendment. Intellectual freedom is a core value of the library profession, and a basic right in a democratic society. A publicly supported library provides free, equitable, and confidential access to information for all people of its community.”



A public library board is a guarantor of this promise. Understanding intellectual freedom and its importance to not only library users but also to a democratic society is vital. The biggest threats to the intellectual freedom of all people are the attempts to censor materials, programs, and services.

The [ALA's Office of Intellectual Freedom](#) describes censorship as

"The suppression of ideas and information that certain persons—individuals, groups or government officials—find objectionable or dangerous. . . . Censors pressure public institutions, like libraries, to suppress and remove from public access information they judge inappropriate or dangerous, so that no one else has the chance to read or view the material and make up their own minds about it. The censor wants to prejudge materials for everyone."

Public libraries are about access to ideas and freedom to read for all people. To this end, many libraries add the [ALA's Library Bill of Rights](#) and [ALA's Freedom to Read Statement](#) to their policy manuals.

Public Library Standards of the Oregon Library Association

In 2018, the Public Library Division of the Oregon Library Association (OLA) adopted the updated *Standards for Oregon Public Libraries*. These were reviewed and rewritten by a committee of library professionals from all sizes of libraries across the state. They are a useful tool for library boards as they evaluate current library services and plan for future growth and development.

[The 2021 updated Public Library Standards](#) are available in a PDF with a checklist structure covering all of the aspects of public library service. This would be an informative board training document; the board could evaluate their library services as well as learn the standards they can aspire to.

Public Meetings

According to the Oregon Department of Justice,

A public meeting occurs when a quorum of the governing body is convened for the purpose of deciding or deliberating a public issue. Without a quorum of the governing body public meeting laws do not apply. If a quorum of the governing body meets, the meeting must follow [public records and meeting laws](#).

ORS Chapter 192.610 – 192.690 provide the requirements for how public agencies meet, conduct business and make decisions. From [ORS 192.620 Policy](#)

The Oregon form of government requires an informed public aware of the deliberations and decisions of governing bodies and the information upon which such decisions were made. It is the intent of ORS 192.610 (Definitions for ORS

192.610 to 192.690) to 192.690 (Exceptions to ORS 192.610 to 192.690) that decisions of governing bodies be arrived at openly.

Library board meetings are to be open to the public, and public notice of the meetings is required. The notice should state the time and place of the meetings. See the [Public Records and Meetings Manual](#) for more specifics about the types of meetings and posting requirements.

According to the [Public Records and Meetings Manual](#),

“In addition to providing the date, time, and place of the meeting, the notice should provide the name and telephone number (including TTY number if the public body has such equipment in service) of a person at the public body to contact to request an interpreter for the hearing impaired or for other communication aids.[632] As an alternative, governing bodies that know their audience is likely to require a sign language interpreter or other communication aids and services should simply make those services available and so state in their notice.

The notice must also “include a list of the principal subjects anticipated to be considered at the meeting.”[633] This list should be specific enough to permit members of the public to recognize the matters in which they are interested. For example, “public works contract” probably is not a sufficient description when the governing body intends to let a contract for demolition of a landmark building.

A governing body may take up additional subjects arising too late to be mentioned in the notice.[634] But, if an executive session is being held, the discussion must be limited to the topic(s) listed in the statutory provision(s) identified as authority for the executive session.[635] Of course, if the subject matter is governed by the rulemaking requirements of the Administrative Procedures Act (ORS chapter 183), the notice requirements of that statute must be met.”

Typically, the secretary to the board – the library director – will post the agenda for the meeting at the library if that is where the meeting is to take place, and then post it on the library’s website, and send it out to the media and any others that have requested notice. A sample agenda that can be posted may be similar to the following:

Library Name
Regular Meeting of the Board
Day, Date, Time
Location, Address
Virtual Meeting Link & Audio Only Number:

Agenda		
Call to Order		President
Call the Roll & Establish Quorum		Secretary to the Board
Approval of the Agenda		President
Topic	Lead	Purpose/Outcome
Public Comment – Limited to Three Minutes Per Person	President	Limited to 30 Minutes Total
Please sign up. Anyone may come forward at this time to comment on any topic not on agenda. Public comment will be invited on agenda items at time of consideration. Only those who sign up will be heard at that time. Only board directed general discussion permitted		
Minutes – Board Meeting – Date	President	Approval
Calendar Update	Director	Information
Reports	Director	
<ul style="list-style-type: none"> Financial Statements Staff Monthly Reports 		Acceptance Information
Board Training	Everyone	Topic
Old Business		
<ul style="list-style-type: none"> Topics 		
New Business		
<ul style="list-style-type: none"> Topics 		
Announcements and Next Board Meeting	President	Information
Adjourn		
Sign language interpretation will be provided for the public if requested 48 hours before the meeting; notice 72 hours before the meeting is preferred. Requests may be made to library director at Phone # and Email.		

In 2023, the Oregon Legislature passed [HB 2805](#), which among other revisions required public meeting law training for some governing body members. Per ORS 192.700(2)(a):

“Every member of a governing body of a public body with total expenditures for a fiscal year of \$1 million or more shall attend or view training prepared under this section at least once during the member’s term of office and shall verify the member’s attendance using the method prescribed by the commission.”

Despite specifically referencing governing boards, this requirement applies to both advisory and governing board members. [ORS 192.610\(5\)](#) defines “governing body” as “the members of any public body which consists of two or more members, with the authority to make decisions for or recommendations to a public body on policy or administration.” Since library advisory boards make

recommendations to their city councils or county commissions, they are also required to take training.

Even if your district is not large enough to meet this requirement, public meeting law training is encouraged in the ORS.

HB 2805 also granted the authority to enforce public meetings law to the Oregon Government Ethics Commission (OGEC), an authority previously held by the Department of Justice. OGEC has a wealth of information on [their website](#) about public meetings. They also offering [trainings](#) to educate board members and other public officials about Oregon public meeting law, and meet the requirements of the HB 2805.

Public Records

As a public agency, the public library falls under the [Oregon Revised Statutes \(ORS\) Chapter 192 – Records; Public Reports and Meetings](#) for managing public records, ensuring that the public has access to records that are open to the public, and making sure that records that are exempt from disclosure remain closed.

According to the [Oregon Department of Justice](#),

Oregon’s open government laws promote democracy and transparency. Oregonians have a right to know how their government works and spends money.

Public records laws were updated in 2017 and the [Oregon Sunshine Committee](#) was created to ensure the laws are working as intended. The Department of Justice publishes the [Public Records and Meetings Manual](#) to help governmental agencies and the public understand the rights and responsibilities concerning public records. The PDF version of the manual is found at https://www.doj.state.or.us/wp-content/uploads/2019/07/public_records_and_meetings_manual.pdf

An important part of the manual is the delineation of the process for how a public records request occurs and how the library should handle it. Part of the law states that the public agency must designate a records custodian. The records custodian follows the process which has deadlines and procedural details.

City and county administration typically have ordinances and procedures in place that the public library and advisory board will follow. Records requests go to the records custodian, and they manage the process.

Governing boards need to designate a records custodian, which is typically the library director. The board also creates policies and procedures which align with the ORS. The library director will follow the process when a records request arises.

Library board members should particularly take note that some library records are exempt from disclosure under public records law. [ORS 192.355\(23\)](#) specifically exempts:

“The records of a library, including:

- a. Circulation records, showing use of specific library material by a named person;*
- b. The name of a library patron together with the address or telephone number of the patron; **and***
- c. The electronic mail address of a patron.”*

This exemption should be noted in the library’s confidentiality policy. Due to this exemption, records meeting these criteria should not be disclosed absent a valid legal document approved by a court of law. More information about the exemption of library records from public disclosure can be found in a [letter](#) written by the Department of Justice to the State Librarian in 1995, shortly after the Legislature exempted library records.

Retention of public records is important. The city or county records custodian will work with the library concerning the records that the library must keep and how the records are retained. Often the city or county needs to be apprised of the confidentiality of library records noted above, so that they are not retained inadvertently. In a district library, the library director aligns the retention of district library records with the retention schedule outlined by the Secretary of State and State Archivist. See the [Records Retention Schedules](#) for specific details. There are different retention schedules for cities versus counties and special districts, although the retention requirements for libraries are the same no matter the government type.

Reporting

Annually, each library reports to the State Library of Oregon according to [ORS 357.520 Annual Report](#), usually referred to as the Public Library Survey or Annual Statistical Report:

Each public library established under [ORS 357.417 \(Methods of establishing public library by local government unit\)](#) shall make an annual report to the State Library and to the governing body on a form supplied by the State Library.

The report for the prior fiscal year is due to the State Library on October 31. From the [Oregon Public Library Statistics](#) page:

Since 1914, the State Library of Oregon has collected and published data on collections, circulation, staffing, facilities, technology, and other statistics from all legally established public libraries in Oregon. The reporting period for public library statistics aligns with the state fiscal year, from July 1 through June 30 each year.

Advisory boards and governing boards may also have other entities that they report to. For example:

- The completed financial audit is submitted to the Secretary of State Audits Division within 180 days of the fiscal year end ([ORS 297.405 - 297.990](#)).
- Governing boards must certify the district's tax to the county assessor by July 15.
- Advisory boards may be required to submit reports to the city or county.
- While not required, it is helpful to prepare a report on the library's activities during the prior year.

Safety

As a facility that is open to the public, public libraries must maintain a safe and accessible buildings and vehicles. Liability insurers often require that staff members participate in regular safety meetings and trainings. Library boards should ensure that the library workplace is as safe as possible for not only the public, but also for the staff members.

This is done through awareness of ways that a workplace can become unsafe or hostile and by developing policies and procedures to prevent and mitigate any issues. Advisory boards will work with the city or county human resources (HR) department, and governing boards will work with their legal counsel and Special Districts Association of Oregon (SDAO) for help with developing appropriate policies and procedures. Below are several links to relevant ORS for further information:

- Prevention of workplace discrimination, harassment and retaliation – The initial paragraph of [ORS 659A.006 Declaration of Policy Against Unlawful Discrimination](#) is below – click on the ORS link to see the full statute:

(1) It is declared to be the public policy of Oregon that practices of unlawful discrimination against any of its inhabitants because of race, color, religion, sex, sexual orientation, gender identity, national origin, marital status, age, disability or familial status are a matter of state concern and that this discrimination not only threatens the rights and privileges of its inhabitants but menaces the institutions and foundation of a free democratic state.

- Regulation around weapons and firearms – [ORS Chapter 166 Offenses Against Public Order; Firearms and Other Weapons; Racketeering](#). Training from law enforcement on active

shooter situations, understanding what is allowed and what is prohibited, and how best to maintain the safety of the people in the library.

- Prevention of workplace harassment: The initial paragraph of [ORS 243.319 Written policy regarding workplace harassment; requirements](#) is below – click on the ORS link to see the full statute:

(1) A public employer shall establish and adopt a written policy that seeks to prevent workplace harassment that occurs between employees or between an employer and an employee in the workplace or at a work-related event that is off the employment premises and coordinated by or through the employer, or between an employer and an employee off the employment premises.

Support from the State Library of Oregon

Staff at the State Library of Oregon, and the wealth of information they provide through their website and training, are invaluable to board members. The [Library Support & Development Services division](#) has all the information a board member might need, and if they don't have the answer, they will find it! Contact the staff members with questions.

Information on a wide-range of library support topics is available - <https://libguides.osl.state.or.us/libsupport>.

Of particular interest to board members are:

- [Library Laws of Oregon](#),
- [Equity, Diversity, Inclusion and Antiracism information and training](#)
- [Learning Resources for Board Training](#)

Section 4 – Resources and Tools

While there is much to learn about the role of a public library Board member, there are many resources available to access. The library director, experienced board members, and even other similar libraries' board members are excellent resources to consult initially. The State Library of Oregon provides support and resources, including knowledgeable and professional staff consultants.

Resources

Below are a few specific resources:

[Annual Self-Assessment Tool for the Board](#)

[Dalhousie University](#) has a good model that can be used as is or can be adjusted to fit the library board's situation. The questions cover areas such as Board job performance, how does the Board work together, the Board's relationship with the library director, self-reflection questions for each individual, and feedback for the chair/president.

Special Districts Association of Oregon (SDAO) provides a [Board Practices Assessment](#) consultant who can come to a board meeting and provide the assessment. They also have a new online [Board Governance Questionnaire](#).

[Training on Demand](#)

[On Demand Training](#) – League of Oregon Cities – of interest to city libraries

[Local Budget Law Training & Resources](#) – Oregon Department of Revenue

[Navigating the library director hiring process: A guide for trustees and boards](#) - WebJunction Webinar

[SDAO Annual Conference 2023 – Managing Relationships and Conflict with Fellow Board Members Session Video](#)

[SDAO Resource Library](#) – a large number of trainings geared to special districts

[State Library of Oregon Board Training](#) – a variety of trainings for all board members

Training Topics for Monthly Meetings

- Intellectual Freedom and Freedom to Read – [American Library Association \(ALA\) Intellectual Freedom Resources](#)



- Equity Diversity Inclusion and Antiracism – [Oregon Library Association \(OLA\) EDI Antiracism Committee Training Resources](#)
- Oregon Government Ethics Law – [A Guide for Public Officials](#)
- Budgeting – [Local Budget Law Training & Resources](#)
- Oregon Library Association *Standards for Public Libraries* – [Public Library Standards Manual](#)
- Public Records and Meetings Law – [Manual and FAQ](#)
- Training opportunities for Board Members – [State Library of Oregon Board Training](#)

Conclusion

The service given by a board member is critical to their community and to ensuring democratic thought, free access to information, intellectual freedom, and championing of the individual. An empowered, ethical, and educated board is key to the continuation of strong library services for all. Their essential charge is to ensure that library services continue for their community, region, state, and country. It is a vital role in our society and is profoundly and deeply appreciated.

Thank you for taking time to review this information and for all you do to serve your communities.