# Table of Contents

Acknowledgements .............................................................................................................. i
Introduction ............................................................................................................................. v
APLS Consultant District Map and Contact Information ..................................................... vi

Chapter 1  How a Public Library is Established in Alabama ............................................. 1-1
  Library Establishment Provided by Alabama State Law
  Joint Library Service
  Reporting Requirements
  Working with Local Government Officials
  Powers and Duties of a Library Board
  Trustee Term Length
  Qualifications and Attributes Needed by Library Trustees

Chapter 2  Organizing the Library Board for Work ......................................................... 2-1
  Getting Oriented
  Organization Overview
  Library Board Officers
  Meetings
  Guidelines For Effective Board Meetings
  Bylaws
  Board Self-Evaluation
  More Information about the Trustee’s Job

Chapter 3  Trustees and the Library Director ................................................................. 3-1
  Understanding the Roles of the Library Board and the Library Director
  Working with the Library Director
  The Board's Relationship with Library Staff

Chapter 4  Planning ............................................................................................................ 4-1
  Planning Overview
  Planning Sequence
  Local Choice and Planning
  Strategic Planning for Results
Chapter 5  Policies and Procedures

Policies and Procedures Overview
What is a Policy?
Why are Policies Needed?
How are Policies and Procedures Made?
Policy Manual
Suggested Content for a Library Policy Manual
More About Procedures
Policy Resources

Chapter 6  Laws Affecting Public Libraries

Chapter 7  Funding

Trustee Responsibilities
The Budget Process
Following the Money
Sources of Library Funding
Tips for Successful Budget Planning
Raising funds for the Library

Chapter 8  Alabama Public Library Service

Alabama Public Library Service Overview
Library Development Department
Reference Department
Public Relations Office
IT Department
Library for the Blind and Physically Handicapped – (BPH)
Services for State Employees
State Aid
Library Services and Technology Act – (LSTA)
E-Rate Program
Summer Library Program
Electronic Resources
Publications
Annual Statistical Report

Appendices

Appendix 2: Alabama Open Meetings Act........................................A2-1
Appendix 3: Hiring the Library Director.........................................A3-1
Appendix 4: Evaluating the Library Director................................A4-1
Appendix 5: Sample Long-Range Plan 1, *Rutherford County Library System Strategic Plan 2015-2018*.................A5-1
Appendix 6: Sample Long-Range Plan 2, *Sample Public Library Five Year Plan for Library Services Development 2016-2020*........A6-1
Appendix 7: *Library Bill of Rights*..................................................A7-1
Appendix 8: *Freedom to Read Statement*........................................A8-1
Appendix 9: *Freedom to View Statement*......................................A9-1
Appendix 10: Confidentiality of Library Records............................A10-1
Appendix 11: U.S.A. Patriot Act......................................................A11-1
Appendix 12: Internet Use Policies..................................................A12-1
Appendix 13: Children’s Internet Protection Act (CIPA)....................A13-1
Appendix 14: APLS Legal Establishment and Powers.......................A14-1
Appendix 15: State Aid Rules..........................................................A15-1
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Introduction

The purpose of this handbook is to provide essential information for Alabama public library trustees to help them better serve their communities with excellent library service. It was prepared as an educational resource and should not replace legal advice. If a trustee should have questions pertaining to anything in the handbook, we urge them to contact the APLS consultant assigned to their library. On the following page is a map showing the consultants’ districts and their contact information.

Below is a brief description of each chapter:

<table>
<thead>
<tr>
<th>Chapter</th>
<th>Description</th>
</tr>
</thead>
</table>
| 1       | How a Public Library is Established in Alabama  
Explains the legal basis for the establishment of public libraries, the qualifications and attributes of trustees, and how trustees are selected. |
| 2       | Organizing the Library Board for Work  
Provides an overview of what trustees do and focuses on the purpose and need for bylaws. |
| 3       | Trustees and the Library Director  
Explains the complementary roles of the library board and the director. |
| 4       | Planning  
Describes the basics of long-range planning. |
| 5       | Policies and Procedures  
Explains the need for policies and procedures to provide efficient and equitable library service. |
| 6       | Laws Affecting Public Libraries  
Describes many of the laws that affect library operations. The chapter provides summary information and should not be construed as legal advice. |
| 7       | Funding  
Describes sources of funding and the budgeting process. |
| 8       | Alabama Public Library Service  
Describes the Alabama Public Library Service (APLS)—a primary resource for library trustees and directors where they can get personal help from consultants and other staff. |
APLS Consultant Districts

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vii
Chapter 1
How a Public Library is Established in Alabama

- Library Establishment Provided by Alabama State Law
- Joint Library Service
- Reporting Requirements
- Working with Local Government Officials
- Powers and Duties of a Library Board
- Trustee Term Length
- Qualifications and Attributes Needed by Library Trustees

Library Establishment Provided by Alabama State Law

Alabama state law provides for the establishment of three basic types of public libraries: (1) a municipal (city or town) library, (2) a county library, and (3) a joint service library, commonly referred to as a library system. See Appendix 1 for the law referred to in this chapter: Chapter 90, "Free Public Libraries", §11-90-1 to §11-90-4 of the Code of Alabama, 1975.

§11-90-1 of the Code of Alabama 1975 states how municipal and county public libraries may be established:

The county commissions of the counties of this state and municipalities, through their governing bodies, may establish and maintain or aid in establishing and maintaining free public libraries for the use of the citizens of the respective counties or municipalities, either separately or in connection with public schools, and to that end may accept gifts, donations, and bequests of land, buildings or money therefor and may make appropriations from the county or municipal treasury in support thereof in such sums as they may deem proper.

Municipal and county library boards consist of five members. Municipal library board members are appointed by the governing body of the municipality, and county library board members are appointed by the county commission (§11-90-2, Code of Alabama 1975). A joint service (or system) library may be established by contract between municipal libraries, county libraries, county commissions, or municipal governments, and the board is appointed in accordance with the contract (§11-90-4, Code of Alabama 1975).

When vacancies occur, the library board and the library director should be prepared to
identify potential citizens who are active, informed, and interested library supporters. In many communities the appointing authority asks the library board to submit names or to suggest new members. Such a request indicates a close and trusted relationship, but the appointing authority must make the actual appointment. Generally, the appointing authority has the power to appoint anyone they choose. There is no residency requirement although appointing authorities may have such requirements.¹

Library board members serve without compensation. However, they are entitled to the reimbursements of expenses incurred while carrying out their duties as a library board member. There is no prohibition to their expenses being paid to attend state, regional, or national meetings on behalf of the library board.

Many boards have "advisory members", such as the president of the Friends of the Library. Such advisory members may be very valuable and provide needed visibility in the community. Advisory members do not have Trustee powers.

Joint Library Service

Section 11-90-4 of the Code of Alabama provides that any county or municipal library board may contract with any other library board to provide joint library service. Where there is no library board, the county commission or municipal government may contract for service with a library board. For existing library boards, it is good to remember that contracted service can be extended to political areas without library service. Expanding the service area, and economic base, for an existing library may provide for much better service than would the establishment of an additional facility. Organizations established under Section 11-90-4 are commonly named as a "library system", "regional library", "cooperative library", "library cooperative", or "city-county library".

There are sound reasons for considering such jointly funded service. The central costs of administration, technical services, bookmobiles, delivery vans, and other services can be spread between funding agencies. Shared collections, or a shared computer system, may be a part of such a contract. The Code of Alabama allows the contracting parties to design the cooperative agreement that works best for their communities. The contract may simply call for the sharing of certain administrative services. Or, the contract may provide for a totally unified system in which political and service boundaries are essentially invisible to library users. It is most important that the mutual understandings regarding any shared services be committed to paper and be reviewed by legal representation. The basis for any joint service should be a written contract approved by all participating parties. The contract should include the following components:

- A detailed listing of what services will be provided by which party;
- A specific statement of how funding will be provided (how much, from which party, when, etc.), and how ongoing costs will be reviewed or allocated;
- A specific description of any joint administrative board;
- A specific statement of who is in charge on a daily basis;
• A specific statement as to the ownership of any property acquired by the joint operation (books, buildings, equipment, databases, etc.), and a statement of what will happen to such property at the end of the contract;

• A date at which time the contract will be reviewed and revised, or cancelled.

**Reporting Requirements**

Section 41-8-7 of the Code of Alabama requires APLS to "obtain from all free public libraries in the State of Alabama reports showing the conditions, growth, development and conduct of said libraries." To fulfill this state requirement it is necessary that local library boards provide records and reports and cooperate in a reasonable manner with APLS. APLS requires libraries to submit information and statistics necessary for it to develop long-range plans of service. In addition if a library board accepts State Aid funds, there are reporting requirements attached to that appropriation. If a library board accepts Federal funds (LSTA, etc.), the sponsoring agency will require specific reports.

Generally, if a library board accepts funds from any outside agency, there may be a requirement that an outside auditor review financial records. Such reports and audits are required to ensure that funds were legally spent for the purposes approved under the grant. Regardless of any additional reporting requirements, the Section 11-90-3 of the Code of Alabama requires that: "A careful and complete record and set of books shall be kept by the library board, showing the proceedings of their several meetings and the receipts and disbursements in detail of all funds". There may be specific requirements for municipal and county records, and the board should follow the requirements established for its funding authority. Regardless of retention requirements, board minutes should be preserved permanently.

**Working with Local Government Officials**

Most Alabama public libraries are dependent on the financial and in-kind support of the local governments that established them and that appoint their board members. To receive local support the library board must seek to maintain a good working relationship with its local government administration.

Many library boards find themselves in situations not specifically addressed by state law. Increasingly, library services are seen as vital functions of a county or municipal government. With its increased importance it is only natural that the library would be brought closer into the daily operations of other government agencies. Other services often provided by a local government that benefit the library include accounting, payment of bills, payment of payroll checks, and access to the government's attorney to receive legal advice.

The Code of Alabama makes no mention of the authority of a library board to hold property, and the Attorney General has ruled that such property should be held by the city or county that created the local library.
Powers and Duties of a Library Board

Under section 11-90-3 of the Code of Alabama 1975 the board is granted full power and authority to:

- Control the expenditure of all funds received or appropriated for the library;
- Erect or rent buildings, to cost not in excess of the funds available to it;
- Purchase books and equipment;
- Provide a system of library service to be made easily available to all citizens of the county or municipality through central library branches, stations, book truck service or other appropriate means;
- Elect a librarian and other employees; and
- Manage and control the said library in order to carry out the full intent and purpose of this chapter [Chapter 90 Free Public Libraries].

For the purpose of providing a legal and public record of its actions:

- A careful and complete record and set of books shall be kept by the library board, showing the proceedings of their meetings and the receipts and disbursements in detail of all funds. [Records should be available for audit based upon APLS, city, state, and national standards.]

Trustee Term Length

Section 11-90-2 of the Code of Alabama 1975 states that municipal and county library boards shall consist of five members and that the initial members shall be appointed for staggered terms. Initial members are to be appointed in the following manner:

- one member for a term of one year
- one member for a term of two years
- one member for a term of three years
- two members for terms of four years
- After each initial term all subsequent terms are for four years. The appointing authority has the power to fill "all vacancies, including expired and unexpired terms".

The law is silent regarding reappointment of members. However, either in accordance with the appointing authority's policy or under the board's own bylaws, there should be some provision to involve new people on the library board. No trustee should serve on the board indefinitely. While it is often helpful to have continuity and experience, it is often more beneficial to have new ideas, fresh approaches, and diverse interests.

Can a board member be removed?

A board member may not be easily removed. The Attorney General has stated:

1-4 How a Public Library is Established in Alabama
It appears that a member of the Library Board may be removed before their term is ended only when the Board member is not acting in the best interest of the citizens of [the]...County in connection with their public library.3

It is up to the library board to define and determine what constitutes action requiring removal. As an example, the board's bylaws may state that any member missing a certain number of meetings will be replaced. The Attorney General has ruled on several occasions that the appointing authority may not abolish an existing library board and continue to operate a public library.4 In addition, a Mayor, on their own, may not remove board members.5

Qualifications and Attributes Needed by Library Trustees

The Virginia Public Library Trustee Handbook6 has an excellent section on the qualifications of trustees. Its observations are worth repeating:

Each trustee brings to the board certain strengths, skills, talents, and personal experience that uniquely serve the library. The board should represent a broad spectrum of community interests, occupations, and geographic areas. Such diversity assures that the library will serve the total community.

It is impossible to represent all the divergent interests of the service area on the board at the same time, but over a period of years the representation should rotate to include as many segments of the population as possible. A well-balanced board can bring in less-experienced members who will provide new viewpoints.

Competencies necessary to fulfill board duties should also be present in the overall composition of the board. Collectively, the board should strive to have:

- rapport with the entire community
- occupational diversity
- political acumen and influence
- business management/financial experience
- legal knowledge
- diversity in age, race, and sex
- varied personal backgrounds

Appointing authorities and individual candidates should be given a written statement of the duties and responsibilities of membership on the library board. An interested potential board member should not accept if lack of time or other commitments prevent full participation.
Effective trustees are citizens who have:

- interest in the library and the community
- time to devote to board responsibilities
- awareness of the library’s role in the community as a center of information, culture, recreation, and lifelong learning
- knowledge of the community and its diversity
- ability to think and plan creatively, to question objectively, and to carry out plans effectively
- skill in establishing policies for effective and efficient operation of the library
- sound judgment, a sense of fiscal responsibility, and political awareness
- willingness to represent the library at meetings and public functions, good communication skills, and the ability to relate to the public
- interest in working with local, state, and national library leaders and trustees to improve library service on all levels

Notes


Chapter 2
Organizing the Library Board for Work

▪ Getting Oriented
▪ Organization Overview
▪ Library Board Officers
▪ Meetings
▪ Guidelines For Effective Board Meetings
▪ Bylaws
▪ Board Self-Evaluation
▪ More Information about the Trustee’s Job

When approached about accepting a position on a committee or board, our first comment is often "What do I have to do?". Sometimes the question is asked to ensure that we do not take on more than we can handle. At other times, the question may reflect our true uncertainty about what is involved.

Getting Oriented:

Trustees are more effective if they know how the library functions and what is expected of them. New board members should be provided with information in an orientation that will help them feel more comfortable with their duties and responsibilities, give them confidence as they begin their job, and get them involved early in their tenure. An orientation should start as soon as possible after the member is appointed, preferably before the first board meeting. This will give the new trustee an opportunity to get to know the library director and staff, and to ask questions about the library and its services.

A new trustee should meet with the library director to learn how the library is:

▪ organized and governed
▪ funded and budgeted
▪ operated day-to-day
▪ structured to serve the needs of the community
▪ linked to other resources and libraries related to board of trustees
A new trustee should tour the libraries in the system with the library director and meet staff members.

A new trustee should meet with trustee representatives to learn about the board:

- organization, officers, and committees
- meeting location, schedule, and operation
- responsibilities and expectations
- goals, long-range plans, and projects in progress
- accomplishments
- relationship to library director

In addition, new trustees should be given an orientation kit and notebook. A new board member needs information about the local library to review and consult. A three-ring binder is a very serviceable format for the orientation kit and information on continuing activities and reports. The contents should include:

- list of board members, addresses, and phone numbers
- bylaws of the board, committee responsibilities
- minutes of the previous year’s board meetings
- organizational chart for library, including staff levels, pay scales, etc.
- staff list, including titles and responsibilities
- library policies, including personnel, book selection, collection development, meeting room use, etc.
- long-range development plans
- most recent library annual report, with prior years for comparison
- statistical reports on circulation, services, etc.
- current budget and financial reports
- history of the library and its present goals and objectives
- local laws and contracts pertaining to the library
- community analyses, such as census figures, as well as demographic, economic, and employment trends
- copies of other current documents concerning the library

One of the most important tasks of any trustee of any organization is to understand the organization and its business. As a newly appointed trustee, you have a golden opportunity to ask questions. If you are a long-serving trustee, there will be new topics that you do not readily understand. If it has been years since the board reviewed policies and procedures, questions are probably in order.

There are basic questions that every trustee should be able to answer fully. This information should be freely available to all trustees, particularly since they are legally responsible for the library’s operation. Many times trustees cannot answer basic
questions about their library’s operation. These questions might include:

- Where does the library get its operating funds?
- Who prepares the budget and how is it presented?
- Does the library qualify for any State or Federal funds?
- How many employees does the library have?
- Does the library use volunteers?
- Does the library have job descriptions for our employees?
- Who sets pay scales?
- Are library employees' salaries comparable to those of other city or county employees?
- How much does the library pay the Director? How much would the library have to pay a new Director?
- What qualifications should the Director have?
- Do library employees have the same health insurance as other city or county employees?
- Can library employees participate in the State Retirement System?
- Does the library need a new library building?
- How many books does the library own and how does that compare with other libraries of this size?
- What percentage of the budget is spent on library materials?
- How are books and other materials selected for the collection?
- What happens if someone doesn't like the books we have selected?
- Does the library have an Internet use policy?
- Does the library filter the Internet use for children?
- Is the library building properly maintained?
- Are the library financial records audited on a regular basis?
- What do library acronyms such as ETF, LSTA and APLS mean?

That last question brings up another topic. Like all professions, librarianship has its own special language. ETF is the Education Trust Fund of Alabama. It is the largest operating fund of the State. LSTA is the Library Services and Technology Act through which most Federal funds for public libraries are provided. APLS is the Alabama Public Library Service and it is located in Montgomery. Common acronyms are identified throughout the handbook.
Organization Overview

Members of a library board are generally known as "board members" or "trustees"—essentially synonymous terms. Whatever it is called locally, the library board is perhaps the single most important factor in determining the quality of library service that a community will receive.

The board's duties are defined in section 11-90-3 of the Code of Alabama, 1975 (see Appendix 1). The board controls the funds, secures a building for the library, purchases library materials, determines how library service can best be provided to the community, hires the library director, oversees the library's operation, and maintains complete and legal records of its policies, actions, and expenditures.

Each phrase in this description involves planning and organization. The library board should be:

- The community's agent for determining what services are needed and what they will cost;
- The community's voice in presenting those financial needs to funding authorities;
- The community's advocate in securing an adequate building; and
- The community's communicator in making public all of its financial dealings and policy decisions.

"Hiring the library director" does not adequately describe the board's responsibility for personnel. The choice of a library director may be the single most important decision that the board makes. Once that person is employed, there should be no need for the board to oversee day-to-day staff operations since such micro-management often results in unnecessary conflict between board members and committed staff. However, the board does need to work continuously to see that properly qualified staff are hired, that pay scales are comparable to similar jobs in the community and in the state, that nondiscriminatory policies are enforced, and that staff are treated fairly.

Library Board Officers

Boards grow from different traditions and have different ideas about the type and number of officers they need. The most common pattern includes a chair (sometimes called president), a vice chair, a secretary, and a treasurer.

The board chair has the following roles:

**Planner** The chair works with the director to plan the meeting agenda and the manner in which the meeting will be conducted. The chair keeps an overall view of the board year and ensures that the board is completing duties mandated by board policy or law.
**President/Facilitator** The chair must ensure adherence to the agenda and completion of items on the agenda. The chair must also ensure fair participation for all board members and fair exposure to all sides of an issue. The chair must keep the meetings moving forward in a professional and timely manner and move the board to action on issues.

**Delegator** The chair traditionally has the power to appoint board members and others to committees with board consent. To do this well, the chair must have a clear understanding of each board member’s skills, strengths, and interests so that appropriate assignments can be made. It is also the chair’s responsibility to make sure that committee assignments are clear and to hold the committees accountable to do the job assigned. The chair may be an ex-officio member of a committee.

**Liaison** The chair should be able to communicate board needs to the director, and the director’s needs and concerns to the board. The chair offers personal support and counsel to the director, and serves as a sounding board for the director.

**Team Builder** The board must always function as a team, and it is the duty of the chair to promote teamwork among board members. It may be necessary for the chair to mediate and counsel fellow board members if the board fails to function as a team on occasion.

Any power exercised by the board chair must be granted first by the full board in policy, or in the commonly accepted and understood practice of the board. In other words, the board chair does not speak for the board unless the full board has delegated that privilege to the chair.

In the bylaws of a library board, officers typically have the duties listed below:

The **board chair** may have some or all of the following duties: (1) Preside at all meetings, (2) Appoint all committees, (3) Authorize calls for special meetings, (4) Serve as spokesperson for the Board, (5) Certify all bills approved by the board, and (6) Serve as ex-officio member of all committees.

The **vice chair** assumes the duties of the board chair in absence of the chair from meetings or at such times as the chair is out of town, unavailable, or otherwise unable to perform the duties of the office.

The **secretary** may have some or all of the following duties: (1) Keep a true and accurate account of all proceedings of the board meetings, (2) Issue notices of all meetings, (3) Send the minutes from the previous meeting to all board members at least five days before the regular meeting, (4) Maintain an attendance record of those present at board meetings, (5) Notify the appointing body of any vacancies on the board, (6) Maintain custody of the minutes and other records of the Board or have the privilege of leaving them in the library, (7) Prepare correspondence for the board. Some of the above duties may be assigned to the library director.
The **treasurer** may have some or all of the following duties: (1) Have general charge of all library funds, (2) Approve all bills for payment, (3) Co-sign all checks with the board chair or with the library director, (4) Work with the library director to recommend an annual budget subject to board action, (5) Report at all regular meetings on the state of the funds. Some of the above duties may be assigned to the library director.

**Meetings**

Keep in mind that the library belongs to the community, and its governance is entrusted to the board of trustees. Citizen awareness of the operations, plans, and problems of the library can be very beneficial, and citizen attendance at board meetings should be encouraged. The Alabama Open Meetings Act, Title 36, Chapter 25A, Code of Alabama 1974, governs public meetings. It's a good idea for all trustees to familiarize themselves with this Act, and to direct any questions to the library's legal counsel. This handbook has summary information only, and it should not be construed as legal advice.

**Open Meetings**

The Alabama Open Meetings Act requires that the deliberative process of governmental bodies be open to the public during meetings. The Act says that "except for executive sessions permitted in §36-25A-7(a) or as otherwise expressly provided by other federal or state laws or statutes, all meetings of a governmental body shall be open to the public and no meetings of a governmental body may be held without providing notice pursuant to the requirements of §36-25A-3." See Appendix 2 for a brief description of the Alabama Open Meetings Act, Title 36, Chapter 25A.

The definition of a "governmental body" includes boards of instrumentalities whose members are appointed by counties or municipalities (this includes public library boards). The term also includes all standing, special, or advisory committees or subcommittees of, or appointed by, a board.

**Notice Requirements**

Boards are required by the Alabama Open Meetings Act to post notice of all regular meetings (as defined in §36-25A-2(6)a.1) at least seven calendar days prior to a meeting. The board "shall post notice of each meeting in a reasonable location or shall use a reasonable method of notice that is convenient to the public." It is good practice and highly recommended that board meetings be announced in the local newspaper and on the library’s website and that a notice be posted at the location where the meeting will be held. Notice requirements for meetings are stated in §36-25A-3 of the Alabama Open Meetings Act.
Executive Meetings

Executive or closed meetings may be held for certain matters as described in §36-25A-7 of the Alabama Open Meetings Act. In order to hold an executive meeting, an affirmative vote must first be recorded in the open meeting with a motion stating specifically the purpose of the meeting and including a statement in the minutes with reference to the applicable exemption.

No formal action may be taken in a closed meeting. All decisions must be formally adopted when the board reconvenes in open meeting and takes a vote of the members.

The Alabama Open Meetings Act lists several exemptions to open meetings. The ones of special interest to library boards are summarized below. But in these exemptions there are certain restrictions that apply, and the entire law must be thoroughly understood before any action is taken.

• "To discuss the general reputation and character, physical condition, professional competence, or mental health of individuals, or, subject to the limitations set out...[in the law], to discuss the job performance of certain public employees."

• "When expressly allowed by federal law or state law, to consider the discipline or dismissal of, or to hear formal written complaints or charges brought against a public employee...."

• "To discuss with their attorney the legal ramifications of and legal options for pending litigation...."

• "To discuss security plans, procedures, assessments, measures, or systems, or the security or safety of persons, structures, facilities, or other infrastructures, including, without limitation, information concerning critical infrastructure, as defined by federal law, and critical energy infrastructure information, as defined by federal law, the public disclosures of which could reasonably be expected to be detrimental to public safety or welfare."

• "To discuss the consideration the governmental body is willing to offer or accept when considering the purchase, sale, exchange, lease, or market value of real property."

Minutes

The minutes must be recorded at all public meetings, as required by §11-90-3 (b), Code of Alabama 1975. In addition, the records of each meeting become a public record and must be made available to the public as soon as practicable after approval, as required by §36-25A-4, Code of Alabama 1975. The minutes are usually recorded by the secretary or library director.
Guidelines For Effective Board Meetings

Before Meetings
The library director and board chair should:
- Plan the meeting carefully: when, where, what, why, who?
- Prepare a preliminary agenda. The agenda should include a time for public comment in accordance with a public comment policy established by the board.
- At least seven calendar days in advance of the meeting publish and post the public notice and the preliminary agenda of the meeting, giving the date, time, and place.
- Distribute the preliminary agenda, related reports, statistics, minutes of the previous meeting, etc. to library board members.
- Prepare a final agenda.

Beginning Meetings
The board chair should:
- Start on time with roll call.
- Introduce visitors and/or new board members.
- Call for the approval of the previous meeting’s minutes.
- Review the agenda, revising the order if necessary.
- Establish time limits.

During Meetings
The board should:
- Focus on issues at hand.
- Follow the agenda and procedures stated in the bylaws.
- Establish action items: who, what, when.

Ending Meetings
The board chair should:
- Review and summarize the meeting’s progress, decisions, and assignments for the minutes.
- Announce the next meeting and develop preliminary agenda.
- Adjourn the meeting officially.

After Meetings
The library director and board chair should:
- Make sure that the minutes include the date, time, and place of the meeting, the names of the board members present and absent, the substance of all matters
proposed, discussed, or decided, and a record (by individual member) of votes taken, the names of citizens who appeared and the substance of their testimony, and any other information that any board member requests be entered in the minutes. Keep an archival file of board minutes in the library.

• Follow up on action items.
• Begin planning for the next meeting.

Bylaws

In order to carry out its important and difficult tasks the library board needs to be organized. Because it is responsible for the business-like operation of the library, the library board should conduct itself in a business-like manner. The first step in achieving an orderly operation is the development of bylaws. The bylaws are the statements and guidelines that guide the library board members. Bylaws can prevent many misunderstandings by stating clearly in advance what is expected and how business will be conducted. Bylaws are not a legal document in the sense of "Articles of Incorporation" or local law. They cannot be inconsistent with state or local laws regarding the library and its operation. Rather than conflict, the bylaws should enforce those laws and explain how those laws are translated into day-to-day operations.

Generally, bylaws should contain at least the following features:

Article I

• Citations to the law and legal actions under which the library and its board are created;
• Number of members on the board;
• How members are appointed;
• Term of office for members;
• Any limitation on term of service;
• Conditions under which a member will be replaced before end of term;
• Method of replacing members.

Article II

• Where and when regular meetings will be held;
• Establish policy that meetings will be open to public, as required by the Alabama Open Meetings Act, Title 36, Chapter 25A, Ala. Code 1975 (see Appendix 2 for additional information);
• Number required for a quorum;
• Establish the parliamentary authority, such as Robert's Rules of Order;
• How and when the annual election of officers will be held; under what
circumstances a special meeting may be called, and by whom.

**Article III**
- Listing of officers: Chairperson or President, Vice Chair or Vice President, Treasurer, Secretary (often the Library Director serves in this capacity);
- Duties of officers;
- Duties of committees;
- Duties of individual board members.

**Article IV**
- Necessary qualifications of the Librarian / (Library Director);
- Method of selection and appointment;
- Responsibilities of Librarian / (Library Director);

**Article V**
- How the organization’s bylaws will be adopted;
- How the bylaws may be amended.

**Article VI**
- Listing of items that should be included in a meeting's regular order of business:
  - Roll call of members and statement of others present;
  - Approval of minutes of previous meeting;
  - Financial report and approval of financial actions;
  - Approval of personnel actions;
  - Report of library operations;
  - Committee reports;
  - Unfinished business;
  - New business;
  - Adjournment.

**Article VII**
- Date of adoption.

The purpose of the bylaws is to provide uniformity to the library board's deliberations and actions; however, bylaws should not be used to stifle discussion or simply to maintain the status quo. The library board should review the bylaws annually; however, the board should also feel free to amend them whenever necessary. Normally, amendments are
adopted by a majority vote of members of the board present at a regular meeting subsequent to notification of the proposed change.

**Board Self-Evaluation**

Successful boards pay attention to the process of how they operate. Just as they evaluate the progress of their library, they must also assess the operation of the board team and determine how they can do the job better.

**It’s up to the library board to hold itself accountable for good performance.**

To do that correctly, your board should take time every year to formally evaluate board performance. The purpose of the evaluation is not to find fault with board members or the full board, but to examine strengths and weaknesses. The formal self-evaluation should be followed with a plan to improve board performance. The following are a series of questions designed to generate ideas and discussion on how to make improvements.

**Does our board prepare to do its job by:**

1. conducting a thorough orientation for all new board members?
2. integrating new members into the team as quickly as possible?
3. participating in continuing education?
4. providing regular board development activities for all board members?
5. performing an annual self-evaluation of board operations?
6. providing all board members with copies of the mission statement, bylaws, library establishment resolution, five-year plan, library laws, and all other important documents regarding the library?
7. touring all facilities at least once a year?

**Does our board ensure good meetings by:**

1. limiting most meetings to two hours or less?
2. providing a comfortable meeting room conducive to business?
3. convening and adjourning on time?
4. having the board chairperson lead the meetings?
5. sticking to the prepared agenda?
6. ensuring the board has enough information to make decisions?
7. working for consensus rather than fighting for a majority?
8. discussing issues cordially, avoiding personal attack?
9. following a business-like system of parliamentary rules?
10. including the director as a resource for all deliberations?
11. confining all discussion to policy issues and avoiding management issues?
12. allowing/encouraging all board members to participate in discussion and not letting one or two persons dominate?
Do individual board members:

1. attend at least 90 percent of all board meetings and committee meetings to which they’re assigned?
2. come to meetings prepared?
3. come to meetings on time?
4. feel free to express even dissenting viewpoints?
5. leave meetings with a feeling of accomplishment?
6. see themselves as part of a team effort?
7. act as advocates for the library?
8. know their responsibility as board members of the library?
9. attempt to exercise authority only during official meetings of the board?
10. represent the broad interest of the library and all constituents, not special interests?
11. understand that the most effective way to govern is to delegate management to the director?

Does our board plan for the future of the library by:

1. annually reviewing and approving the mission statement?
2. annually reviewing yearly objectives/work plan?
3. annually reviewing progress toward the five-year plan and modifying the five-year plan?
4. having board committees work and produce results?
5. operating from opportunity rather than crisis to crisis?

In which of the major categories above does our board show real strengths? In which of the major categories above does our board need improvement?

More Information about the Trustee’s Job

There are many sources of information, training, and just plain encouragement. This handbook includes information regarding publications and organizations that might make your job easier. Many of the resources will be available at your local library, on the Internet, or by loan from the Alabama Public Library Service (APLS). Organizations of interest vary from local groups to national associations.

Several of the same organizations that will help your director will be of value to you as a trustee. United for Libraries, a division of the American Library Association, is the national umbrella organization for boards of trustees, Friends groups, library foundations, and their administrators. The Alabama Library Association has a Public Library Division, which incorporates trustees in its membership. During its meeting each April, programs are offered to benefit public librarians and trustees. The Alabama Public Library
Service (APLS) offers books and other materials for trustees and provides training and continuing education opportunities for trustees. Books may be borrowed through interlibrary loan requests through your local public library.

Notes

1. Portions of this section were copied from: Teaching Aid #5 Trustee Orientation, ABLE Project, Nioga Library System, NY. Retrieved from http://ablelibrarian.org/final-documents/mod1/index.html


3. Ibid. pp. 18-19.

Chapter 3
Trustees and the Library Director

- Understanding the Roles of the Library Board and the Library Director
- Working with the Library Director
- The Board’s Relationship with Library Staff

Understanding the Roles of the Library Board and the Library Director

The board of trustees and the library director are both involved in library governance and policy development, financial management, and personnel administration. However, the type and level of involvement must be clearly differentiated in order to avoid conflict and for the library to operate professionally and effectively.¹

Typically, the board establishes overall personnel policies such as guidelines for salary and benefits, hiring practices, and other personnel actions. The director acts as the professional/technical adviser to the library board on policy, finances, planning, library performance and more.²

The board directly hires and evaluates the performance of the library director, who in turn hires and evaluates the performance of other library staff. See Appendix 3-Hiring the Library Director, and Appendix 4-Evaluating the Director.

Some of the ways the roles of the library director and the board differ are:
- The library director may suggest or draft policies. It is the board that adopts the policies. Once a policy is adopted, the director and staff carry it out as they operate the library.
- The board hires and evaluates the library director while the director hires and evaluates other staff.
- The library director may draft a budget request; the board officially adopts the budget.³

Use the chart starting on the next page to openly discuss the board’s role and the director’s role. Most conflicts can be avoided if the board and director understand and respect each other’s roles.⁴
**Personnel**

The quality of library service depends on the administrative leadership of the director, the competency of the staff, and the commitment to excellent public service by a proactive board of trustees.

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<td>Employs a competent and qualified library director at a competitive salary. This includes recruiting, hiring and annually evaluating the director based upon a well-defined job description and expectations. “The library board shall have full power and authority to elect a librarian and other employees.” Code of Alabama, Section 11-90-3.</td>
<td>Recruits and hires all other staff based upon well-defined job descriptions and expectations. Supervises all staff. Communicates efforts and accomplishments of staff and suggests appropriate recognition and incentive awards. Conducts annual performance appraisals, maintains evaluation records, documents achievements or problems for governing authority.</td>
</tr>
<tr>
<td>Adopts personnel policies in coordination with any personnel policies of the local government that may affect the library. Is aware of policies and practices covering library personnel (e.g. job descriptions, responsibilities, salaries, benefits, hours, sick leave, vacation, overtime, holidays, hiring and firing conditions, performance evaluation and promotion, professional development, etc.). Also knowledgeable about local, state, and federal employment laws. For more information on the authority of library boards regarding personnel, see Alabama AG Opinions 93-00191 and 2001-166, accessible at <a href="https://www.alabamaag.gov/Opinions">https://www.alabamaag.gov/Opinions</a>.</td>
<td>Is familiar with local government personnel practices and policies as applicable. Is familiar with local, state, and federal employment laws and practices. Responsible for ensuring staff job descriptions are up to date.</td>
</tr>
<tr>
<td>Ensures that the library director has sufficient and adequately compensated qualified staff. Responsible for providing healthy and safe working conditions and environment for director and staff or recommending improvements to local governing body.</td>
<td>Recommends needed improvements in working conditions, compensation and benefits.</td>
</tr>
<tr>
<td>Maintains cordial relations with library staff but does not interfere in working relations between the library director and staff. Does not ask for special library favors of staff members.</td>
<td>Supports staff members in their duties and assignments. Encourages their ideas, creativity, and constructive recommendations for providing library services.</td>
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**Governance**

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<th>LIBRARY BOARD</th>
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<td>Knows local, state and federal laws affecting libraries and ensures that library services conform to all applicable laws. Proactively supports legislation on behalf of public libraries. “The library board shall have full power and authority to provide a system of library service to be made easily available to all citizens of the county or municipality…” Code of Alabama, Section 11-90-3.</td>
<td>Knows and observes local, state, and federal laws in the provision of library service to the community. Proactively supports legislation on behalf of public libraries.</td>
</tr>
<tr>
<td>The library board shall have full power and authority to manage and control the library.” Code of Alabama, Section 11-90-3. The library board approves policies, plans, and budgets, and employs a qualified director to professionally administer the library. The director works at the pleasure of the board.</td>
<td>Has direct responsibility for management of the library within the boundaries of board-approved policies, plan, and budget.</td>
</tr>
<tr>
<td>Members regularly attend board meetings. The board meets regularly and all members actively participate in board and committee meetings. Ensures board appointments are current. Holds open public meetings, except where executive sessions are allowed by law.</td>
<td>Serves as executive officer of the library board. Attends all board meetings except where the director’s performance is evaluated. Prepares and posts the meeting agenda for the public before the board convenes. Observes open meeting requirements. Prepares written reports; makes well-supported recommendations on issues that come before the board; provides information as needed/requested by the board.</td>
</tr>
<tr>
<td>Ensures that accurate and complete minutes are kept for the public record, reviews and approves all meeting minutes and reports.</td>
<td>Regularly reports to the board, local government, and the public on the progress and needs of the library.</td>
</tr>
<tr>
<td>Avoids any conflict of personal or business interests with those of the library, staff, or local governing officials.</td>
<td>Follows local, state, and federal laws and regulations scrupulously in library business matters.</td>
</tr>
<tr>
<td>Understands that the board functions as a single entity; no authority resides in an individual trustee.</td>
<td>Respects and carries out the decisions and actions taken by the board as a whole unit. Does not take sides with individual trustees.</td>
</tr>
<tr>
<td>Preserves the library’s independence from undue political influence and any threats of censorship.</td>
<td>Remains politically neutral in representing the library in the community, and promotes intellectual freedom for all community citizens.</td>
</tr>
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**Board Member Recruitment**

The Board must truly represent the community. People from all parts of the community should be represented, including populations defined by age, geography, ethnicity, and economic status.

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<tr>
<td>Recommends qualifications and candidates for the board to the appointing authority.</td>
<td>Recommends qualifications and candidates for the board to consider for recommendation to the appointing authority. Notifies appointing authority of board vacancies.</td>
</tr>
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**Planning**

A plan is a guide to a library’s future growth and services. It identifies the library needs of the community and lays out the goals and objectives designed to meet those needs.

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<tr>
<td>Actively participates in determining community needs and reviews the library’s mission statement.</td>
<td>Coordinates the community needs assessment and engages the board in review of the library’s mission statement.</td>
</tr>
<tr>
<td>Participates in developing a long-range plan for library improvement, including specific goals and objectives to meet community needs.</td>
<td>Communicates strengths and weaknesses of library services to the board. Recommends goals and objectives. Designs and recommends specific activities to accomplish library’s goals and objectives.</td>
</tr>
<tr>
<td>Periodically evaluates progress in implementing the library plan and adjusts goals and objectives as needed. Understands the library service output and outcome measures and uses them to evaluate implementation of the long-range plan.</td>
<td>Manages day-to-day operations. Reports library’s progress and future needs to the board. Periodically reports to board library service output and outcome measures.</td>
</tr>
</tbody>
</table>

**Policymaking**

Boards have the responsibility to make and approve policies that benefit the public through the library’s services, resources, and operations. Policies should translate the goals and objectives of the long-range plan into actions. Policymaking provides direction for a course of action, assures administrative consistency, and serves as the basis for specific procedures.

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<tbody>
<tr>
<td>Establishes, reviews and revises the bylaws to ensure smooth functioning of board and library operations.</td>
<td>Helps board comply with bylaws, suggests additions or changes that expedite board effectiveness.</td>
</tr>
<tr>
<td><strong>LIBRARY BOARD</strong></td>
<td><strong>LIBRARY DIRECTOR</strong></td>
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</tr>
<tr>
<td>Responsible for establishing library policies. Participates actively in the policymaking process to support the library’s mission in the community. Adopts written policies to support the library’s purpose, goals, and objectives.</td>
<td>Provides assistance and relevant information about library operations, services, and resources to help the board develop equitable, comprehensive and effective policies. Prepares and recommends draft policies for consideration by the board. Administers library policies as adopted by the board.</td>
</tr>
<tr>
<td>Assesses and approves methods and schedule for implementing and reviewing library policies.</td>
<td>Regularly reports on the progress and effectiveness of implemented board-approved policies. Recommends additional policies as needed.</td>
</tr>
<tr>
<td>Coordinates all library policies with the policies, laws, and regulations of local, state, and federal government. Library policies include those for management, personnel, purchasing, contracting, EEO and ADA compliance, and confidentiality of patron records.</td>
<td>Helps the board understand how government policies differ and interact with library services, resources, and operations policies. Also helps the board understand local, state, and federal laws and regulations.</td>
</tr>
<tr>
<td>Reviews and approves materials selection policy, which authorizes the director and qualified staff to select all books and other library materials.</td>
<td>Submits preliminary materials selection policy for board approval. Selects all books and materials according to adopted policy. Can assign selection responsibilities to qualified staff.</td>
</tr>
<tr>
<td>Reviews, revises and ratifies all written policies submitted by the library director including: reference services; gifts/donations; circulation and patron registration; operations and equipment use; use of library facilities by community organizations; public relations; Internet access; and staff training.</td>
<td>Provides experience and expertise to help the board adopt the most appropriate library policies based on patron information and service demands.</td>
</tr>
<tr>
<td>Ensures that library policy supports the intellectual freedom of all citizens in the community and that it supports the Library Bill of Rights, the ALA Freedom to Read statement, and the ALA Freedom to View Statement. Ensures that the library has a well-defined public challenge policy and procedure to protect the library and board from censorship threats.</td>
<td>Supports and defends the intellectual freedom rights of all citizens. Promotes the Library Bill of Rights, the ALA Freedom to Read Statement, and the ALA Freedom to View Statement.</td>
</tr>
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</table>
**Finances**

The director and the board are responsible for the prudent expenditure and management of tax monies and all other funds for library services to the community.

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<tr>
<td>Understands the categories and sources of tax revenues available for library needs and knows what</td>
<td>Understands sources of tax revenue for library operations and expends library funds judiciously and completely in selecting materials and providing services.</td>
</tr>
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<td>the library’s fair share should be.</td>
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<tr>
<td>Examines the budget proposed by the director; makes revisions as needed; and officially adopts the</td>
<td>Prepares the preliminary annual budget recommendations based on present and anticipated revenues. Relates budget needs to board’s overall plan for library development. Presents and defends the approved budget before the governing body and general public.</td>
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<tr>
<td>budget. Provides support for the director in the presentation and defense of the budget before the</td>
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<td>governing body and general public.</td>
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<tr>
<td>Reviews expenditures in accordance with the budget, amending line items within the budget if needed.</td>
<td>Expends funds based on the approved budget and in accordance with any special rules established by the board. Maintains complete and accurate records of finances. Reports regularly on library expenditures and informs the board of future demands on the budget. Suggests ways to stretch the budget through cooperation with other libraries, new technology, state and federal grant programs, and corporate or private funding opportunities.</td>
</tr>
<tr>
<td>Is apprised of benefits to the library provided through the Alabama Public Library Service. Ensures</td>
<td>Explains to the board the benefits that state and federal grants provide for improved library services. Submits grant proposals for board discussion, input, and approval.</td>
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<td>that the library annually complies with the “Maintenance of Effort” as required by the APLS state aid</td>
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<tr>
<td>rules. Encourages the director to apply for annual LSTA grants.</td>
<td></td>
</tr>
<tr>
<td>Maintains good relations with local government that collects and distributes library funds. “A</td>
<td>Communicates to government officials the judicious use of funds expended for library services and reports on various output and outcome measures for justifying additional funding.</td>
</tr>
<tr>
<td>careful and complete record and set of books shall be kept by the library board, showing the</td>
<td></td>
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<td>proceedings of their several meetings and the receipts and disbursements in detail of all funds.”</td>
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<td>Code of Alabama, Section 11-90-3.</td>
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**Continuing Education**

Enlightened directors and boards recognize the need for library personnel and themselves to upgrade their professional knowledge base and skills to be able to provide the most current and comprehensive information service to their patrons.
Advocacy

The Public Library Association states: “Today’s public libraries are consistently being challenged to do more with less—less money, less staff, and less time. It has never been more important for librarians, staff members, trustees, and others with a vested interest in their public libraries, to convey to their communities the value of the library. Advocacy, the process of acting on behalf of the public library to increase public funds and ensure that it has the resources needed to be up to date, is critical to the success of libraries.” The American Library Association provides a Frontline Advocacy Toolkit that is useful: [http://www.ala.org/advocacy/frontline-advocacy-toolkit](http://www.ala.org/advocacy/frontline-advocacy-toolkit)

Advocacy is a challenging aspect of librarianship, but it shouldn’t be a neglected one. With countless resources available in print and online, we should all make it a priority to advocate for public libraries. For more information about advocacy, see chapter 5, "Communications", in the Alabama Public Library Director's Handbook.

Public Relations

Since the prime purpose of a public library is to bring people and information together, the director and the board should assume a proactive role as a good will liaison between

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<td>Informs the board of continuing education opportunities for all personnel and trustees.</td>
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<td>Participates in continuing education activities and encourages the library director to do the same.</td>
<td>Participates in continuing education activities and professional organizations. Encourages continuing education for library staff.</td>
</tr>
<tr>
<td>Reads and studies trustee materials and professional library literature. Prepares to discuss topics at meetings.</td>
<td>Collects and shares with the staff, the trustees, and the governing body important articles and information that impacts library services.</td>
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<tr>
<td>Ensures that all new trustees have a planned orientation session to introduce them to their new position, board, colleagues, library personnel and the library itself.</td>
<td>Welcomes new trustees to their new role and participates in their orientation program. Takes them on a tour of the library to meet the staff and learn about the library’s collection, services, and programs.</td>
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<td>Advocates for the library through contacts with general public, civic organizations and public officials. Attends city council and/or county commission meetings to keep elected officials informed on library activities. Works to secure adequate funds to carry out the library’s services.</td>
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the library, governing body and the community. Public relations go beyond the
development of publicity to advertise the services and resources of the library. It
encompasses a total program in which the library projects the true images of what it is
and how it functions, with the goal of developing better understanding and support from
the various publics that it serves. There are a variety of ways in which the library can
inform the community of its services and foster a positive public image. Liberal use of the
media and creative use of all forms of publicity help to make the public aware of the wide
range of materials and services that the library provides. The board must assure that
time, staff, and funding are available for advertising library services. For more information
about public relations, advocacy, social media and the role of trustees, see Chapter 5,
"Communications", in the Alabama Public Library Director's Handbook.

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<td>Listens to the community to establish, fund, promote, evaluate, and participate in planned programs of public relations on behalf of the library.</td>
<td>Maintains, coordinates and promotes public relations programs.</td>
</tr>
<tr>
<td>Promotes the services, resources, and programs of the library at all professional, educational, civic, and social functions. Uses every opportunity to relate the benefits of excellent public library service to the community.</td>
<td>Regularly promotes books, materials, services, and programs to the board, government officials, and the general public through the media and in person at community events. Likewise, informs the board of library needs and problems for their consideration and action.</td>
</tr>
<tr>
<td>Maintains important and influential contacts in the community and keeps them informed of the library's progress and critical needs.</td>
<td>Interprets board public relations policies to staff and encourages them to promote the library in community activities.</td>
</tr>
<tr>
<td>Remains current with state and national library issues, standards, and trends. Is responsible for educating the public and governing bodies about the issues, standards, and trends.</td>
<td>Works to keep the board and staff informed about important issues in the state and the national arena. Encourages the board to read professional library literature.</td>
</tr>
<tr>
<td>Publicly defends library policies and supports actions of the director and staff executed according to board policy. Supports staff training and involvement in the public relations program. Supports the Friends of the Library and recruits members.</td>
<td>Supports board policies, decisions, and actions in the community.</td>
</tr>
</tbody>
</table>

**Working with the Library Director**

Human relationships determine the inner climate of the library. Every effort should be
made to maintain cordially cooperative and mutually productive relationships. Chief
among these relationships, because of its effect on the overall library administration, is
that between the library board and the library director. The working relationships that

3-8  Trustees and the Library Director
prevail within the library determine the attitudes of librarians and staff, which in turn determine the quality of service offered to the public.

The board delegates all library management responsibility to the director. The board’s job is monitoring the director’s effectiveness in providing library service to the community. This system is effective because it has a board of trustees who represent the interests of the community and a qualified director who has the skills to make the library run efficiently within the parameters set by the board. How much does the board do and what are the responsibilities of the library director? There are several ways to clarify responsibilities:

- Look at the relationship with the director as a partnership between the board and the director in providing the best library service to the community.
- The board members’ duties can be defined loosely as dealing with issues that affect the whole library and its position in the community. The board sets parameters of how the library will operate. Then the director’s duty is to carry out the day-to-day functions (procedures) of running the library within the parameters (policies) set by the board.
- Open communication prevents confusion and conflict. Board members and the director must feel free to discuss their respective roles.
- The director is a valuable resource to the board on all issues and often the leader on many issues that come before the board. The director should attend all board meetings and be encouraged and expected to make well-supported recommendations on all issues that come before the board. The director should be expected to take part in deliberations to help the board make decisions in the best interests of the library service to the community.

Although the director is responsible for the management of the library, the board retains ultimate responsibility. It is the right and responsibility of the board to request from the director all information necessary to fulfill the board’s governing responsibility. It is the director’s obligation to report to the board accurately and completely about how the library is being managed including problems, plans, and progress.

The director is responsible to the board as a whole, but not responsible to each board member individually. Individual board members, including the board president, have no power to make demands or give orders to the director. This does not rule out individual board members asking the director for clarification about issues facing the board or discussing with the director concerns that individual board members may have. The board must speak with one voice when delegating to the director, when giving direction to the director, and when requesting information. The director must serve the board as a whole in order to manage the library efficiently.

The Board’s Relationship with Library Staff

The only employee who reports directly to the board is the library director.
Understanding the nature of the relationship between the board and other staff members will prevent organizational problems and contribute to a smooth-running library. While the board should strive to create a climate of cordiality and friendly interest with staff, members should not personally intervene in matters between the staff and supervisors. Decisions by the board affect working conditions, salaries, benefits, and other personnel matters.

The board hires the director to be the expert in management of the library, including the management of all other personnel.

- The board has no direct responsibility for day-to-day supervision of staff other than overseeing the director.
- Board members have no authority to issue orders to staff or make demands of staff except through the director.
- The board has no direct responsibility for assessing staff performance other than the directors.

Staff members may sometimes go around the director and take concerns and complaints directly to the board or to individual board members. It is the board member’s responsibility to remind the staff member about the proper procedure for concerns or complaints. The board does not act on complaints from the staff, except through a grievance procedure outlined in board policy. Concerns or complaints that come directly to board members should be reported to the director for resolution.

As a board member, you should show concern for the well-being of staff. Encourage retention of good staff by budgeting for competitive pay and benefits and for training and continuing education. Work with the director to recognize and acknowledge good staff performance and say thanks to staff through specific board action.

Examples of when board members may interact with staff include:

- in committee settings
- in the planning process
- when staff are asked by the director to make reports at the board meeting
- if board members volunteer at the library
- during library social events

The following examples of Attorney General opinions may assist an individual library board in considering how its employees relate to its city or county government:

Based upon a library’s board policies and city/county arrangements,

- Library employees may be included in a government’s group hospital plan.9
- Library employees may participate in the Alabama State Employees Retirement System.10
- Library employees can be a part of the municipality's personnel.11

3-10 Trustees and the Library Director
Library employees may be subject to city personnel policies. The **director** is responsible for hiring, supervising, evaluating, and, if necessary, disciplining and dismissing staff. The director is accountable to the board for the performance of all staff. Employees need to clearly understand the authority of the library director, who is accountable to the board.
Notes


3. Ibid.


8. Ibid. pp. 52-53.


3-12 Trustees and the Library Director
Chapter 4
Planning

- Planning Overview
- Planning Sequence
- Local Choice and Planning
- Strategic Planning for Results
- Aspen Action Guide
- Planning and LSTA
- Sample Plans

Planning Overview
Planning for libraries is a process of perceiving the future of both the community and the library and setting a direction for library movement toward that future vision. Planning helps the staff and board understand the situation of their community, set priorities, and establish methods for achieving those priorities. The planning document provides a record of the decisions made during that process. The document also becomes a guide for decision making and action by staff and the board.

Planning Sequence
Planning requires an ongoing, critical look at the current status of library service compared to what it should be in the future. It is a cyclical process of assessment, forecasting, goal setting, implementation, and evaluation, leading back into a new phase of assessment, and so on. It is also a pragmatic activity that can be undertaken in a thorough fashion or in a more simplified, compressed manner if limited resources or schedule impose constraints on the planning process. There are several approaches a library can take to planning; several strategies a library can apply. The main factor is to create and follow a plan.

Planning, however, sometimes seems to be something more discussed than done. To many it remains an intensive, exhaustive, sometimes mysterious process, something foreign to the library’s day-to-day activities. But it need not be so intimidating—virtually every library plans at some level. Preparing each year’s budget involves some level of planning and forecasting. Presenting that budget to a city council is one way of expressing where the library expects to go and what it plans to accomplish over the next year. The activities involved in budget preparation can be incorporated into a larger planning process. A wider field of vision creates a deeper understanding of the community and the library, and that deeper understanding supports the efforts of board members, staff, and other library advocates as they seek to improve the quality of library service in the community. Typically, any planning model asks four simple questions:
Where are we?

This initial question involves assessment of the current condition of the library and the community. This is the data-gathering phase of a planning methodology. In this initial phase information is gathered about the community—census data, economic reports from the community planner or chamber of commerce, forecasts from a regional planning office, or projections from the school district. Information is gathered about the library—annual report data, user or community surveys, circulation system usage reports, and corresponding data from neighboring or peer libraries. Planners may examine larger societal trends that might have an impact on the services the library needs to provide. Planning committees often include stakeholders from designated constituencies in the community. Finally, public input in the form of surveys or focus groups needs to be included.

Planners also may utilize a technique often used in strategic planning efforts—listing and discussing Strengths, Weaknesses, Opportunities, and Threats in the library’s internal and external environment (sometimes referred to as a SWOT analysis). After this analysis, planners can identify the crucial strategic issues for the library. Planners need to address these crucial issues when they develop library goals and objectives.

Where do we want to go?

The second question involves forecasts and projections. The participants in the library’s planning process should define a planning horizon of five years since the APLS state aid rules require the submission of a five-year plan when the previous five-year plan expires. Working from the base-line information assembled during the data gathering phase and public input, planners set the overall desired course for the library. The *Standards for Alabama Libraries*, published by the Public Library Division of the Alabama Library Association, can be used as one tool to chart a course for the library as part of its larger planning process. A review of this document may highlight areas where the library does not meet the recommended standard, and that may become an area to address in the library’s plan. Links to the *Standards* are at the bottom of this webpage: [https://www.allanet.org/public-library-division-pld-](https://www.allanet.org/public-library-division-pld-).

How do we get there?

In response to this third question, planners craft an action plan. After visioning, selecting roles or service responses, and writing the mission statement, a library planning group sets service priorities. These are translated into written goals and objectives that describe
the ends or targets desired by the library and indicate a direction in which the library should move. The library’s objectives will be measurable or verifiable and are time specific. They provide the basis for evaluating the library’s progress. To aid libraries in setting measurable targets, *Output Measures for Public Libraries* (Van House et al., 1987) presents key measures of library service. *Measuring for Results: The Dimensions of Public Library Effectiveness* (Joseph R. Matthews, 2004) emphasizes approaches in assessing the library’s outcomes—the economic and social impact or benefit that the library’s services provide to the community. Implementing the plan developed by the library’s planning committee requires designing activities and detailing the strategies to carry them out. Writing the planning document is one visible result of the planning process. Dissemination of the library’s plan includes presentations to public officials and at promotional activities. The plan becomes useful information in the political process of garnering resources to carry out the library’s plan.

Are we getting there?

Reviewing and recycling complete the planning cycle. Once it is adopted, the plan becomes a benchmark, a means of assessing whether the library is on course. Planners routinely and continually evaluate the degree to which the plan’s activities have advanced the library’s priorities, as expressed in its written objectives. This evaluation effort occurs in two ways. The first is a monitoring process, which goes on throughout the year to assure that the library is not unintentionally straying from the established priorities. Second, a more formal evaluation occurs at least annually to answer the question, “What progress was made by the library?” In each service and administrative area, the key question is, “What difference did the library make?” This evaluation step ultimately begins to answer the question, “Did community citizens receive better service?” Any evaluation also includes assessing the process used in developing the plan (including the costs), the impact of the planning process on service and staff, and the community’s response to the plan. Questions raised may include, “Was the plan useful?” and, “Were the resources chosen appropriate?” This step allows the library administration and stakeholders to think about how it all worked. Revising the plan and the process in order to improve services is the end result of this step.

To help analyze outcomes, consider using an online resource developed by the Public Library Association: *Outcome Measurement Made Easy* at [https://www.projectoutcome.org/](https://www.projectoutcome.org/)

To help determine the worth of your library, consider using these resources:

- *Library Use Value Calculator with Explanations of Values* at [http://www.swissarmylibrarian.net/librarycalculator/valuecalc_costs.html](http://www.swissarmylibrarian.net/librarycalculator/valuecalc_costs.html) (Cost figures derived by the Massachusetts Library Association)
Local Choice and Planning

There is no one, single, best way to plan. Differences in communities and libraries will—and should—be reflected in the process, the strategies, and the techniques used by different libraries, as well as in the final planning documents developed by different libraries. In some communities it will be appropriate to undertake a thorough, rigorous process. The process may involve a large citizens' committee. The committee may undertake several surveys to gather information about the community. The committee may also conduct numerous interviews with representatives of various groups within the community. As a result of assembling this information, the committee may recommend a major revision to the library’s mission statement and a long list of goals and objectives, all of which may be presented in a comprehensive report to the council and the community.

In other communities a more modest approach may be suitable. In such a community the library board and staff may determine there isn’t the time, budget, or staffing to support a more elaborate process, or perhaps the library’s previous plan emerged from a more exhaustive effort and the new plan is expected to be more of a course correction than a wholesale revision. In this instance, the planning committee might consist of board and staff only. Data gathering may be limited to existing data and reports readily at hand. The planning report may be a much simpler document.

An important key to planning for libraries is that an individual library can set its own pace for the process. No library is too small to plan, because each community deserves the good service that results from effective planning.

Determining who should facilitate the process is another consideration. On the one hand, a local community leader garners respect and can encourage the involvement of other key members of the community. The downside is that such people may have set opinions about the community or library that can impinge on their effectiveness. They also may not have the necessary skills to coordinate and carry out the planning process. Professional facilitators or consultants have advantages in that they have necessary training skills and experience to conduct the process, they generally are more neutral in their approach, and they can bring out important information from the group. On the other hand, they generally charge fees for their services and may not be aware of public library and community issues. Each library should consider the various factors to determine the appropriate person to facilitate the planning process.

The final written planning document is not the only product of the planning process. It is the process itself that also changes the library. Involving community citizens and library staff in the planning effort helps to assure that the established goals are achievable and will be carried out. Lines of communication opened during the process can remain effective channels of communication for future community-based planning. Broad community participation in the library’s planning effort tends to foster broad support for the library’s goals and the continuing improvement of library service.
Regardless of the planning method used, the APLS state aid rules require public libraries to prepare a five-year plan to include as a minimum the following parts:

1. The community’s information needs and services
2. Staff development
3. Collection development
4. Facilities development (may be an appendix)
5. Technology development (may be an appendix)

In addition, a board must approve a written disaster/emergency plan.

In this chapter we provide summaries of two planning methods (1) Strategic Planning for Results, and (2) The Aspen Action Guide. A library administration may follow one of these, use another method not covered here, use its own independent method, or combine ideas from two or more methods. We also include sample plans in Appendices 5 and 6, links to further information, and a list of other sources.

**Strategic Planning for Results**

The Public Library Association (PLA), a division of the American Library Association, has worked for many years to develop and improve planning methods for public libraries through a series of publications. Its latest training guide is the 2008 book, *Strategic Planning for Results*, by Sandra Nelson. In this chapter, presented are some basic elements of planning as described in Nelson’s book. It is recommended that the reader study the book to achieve a better understanding of the methods involved.

Below are some basic steps to follow to prepare a long-range plan (the steps are adapted from *Strategic Planning for Results* and are used by permission from the Public Library Association):

1. Decide who to involve. At a minimum the library director, staff and board need to be involved throughout the process. Also, it is advisable for the board to appoint a citizen planning committee with members representing the entire community.

2. Identify and describe existing resources and data as follows:
   - Staff
   - Space
   - Collections
   - Equipment and Furnishings
   - Funding and funding sources
   - Usage statistics

3. Develop community vision statements:
   - Develop statements about an ideal future in ten years:
     - About the community—not the library
o About specific audiences

- A vision statement has two parts:
  1. Who will benefit (children, teens, seniors, families, businesses)
  2. Benefit or result

Examples:
- Children will get the education they need to find jobs with a livable wage or pursue higher education.
- Local businesses will be profitable in a growing economy.

4. Identify community conditions and needs:
   - Identify current community conditions as they relate to the vision statements.
   - Identify what is needed to make progress toward the community vision.
   - Identify the needs the library is suited to meet and that are not being met by other organizations.

5. Select library service responses:
   - A service response is what a library does to meet community needs.
   - PLA has developed a list of 18 service responses.¹
   - Identify service responses that meet your community’s needs.
   - Prioritize service responses.
   - Allocate the existing resources needed to provide excellent library services in support of the highest priority.
   - Then continue to allocate the resources needed to provide excellent library services in support of each additional priority in rank order.
   - When existing resources have been exhausted the library will not support any remaining priorities.

6. Develop service goals:

   A service goal is the benefit your target population will receive because the library provides a specific service response.

   An example of a service goal:

   - The library selected as a priority the service response “Create Young Readers: Early Literacy”.
   - To meet this response the library developed the goal: “Preschool children will enter school ready to learn.”
     - The target population is “Preschool children”.
     - The benefit is “entering school ready to learn”.

¹ PLA has developed a list of 18 service responses.
² This does not include some services that also have an economic benefit.
Another example of a service goal:

- The library also selected the service response “Make Career Choices: Job and Career Development”.
- To meet this response the library developed the goal: “Adults seeking career development will have information to assist them in finding job training.”
  - **Target population**: “Adults seeking employment and career development”
  - **Benefit**: “having information to assist them in finding job training”

7. Develop objectives:

   An objective is the way the library will measure its progress toward reaching a service goal.

   An objective contains 3 elements: (1) Measure, (2) Target--a number or percent, and (3) Date or Time Frame.

   There are 4 different kinds of measures that may be used: (1) Number of users, (2) Perceptions of users, (3) User outcomes, and (4) Units of service delivered.

   Examples of measures:

   (1) **Number of users**: for example, “Number of preschoolers who attend preschool” or “Number of people who attend a job development program”.

   (2) **Perceptions of Users**: for example, “Percent of parents surveyed who respond that the library’s preschool services are very good” or “Percent of users surveyed who respond that the job and career services are very good”.

   (3) **User Outcomes** measure the changes in users, such as what difference did the program make to the participant, or what changes occurred in participants’ knowledge, skill, attitude, behavior, condition, or status: for example, “Number of parents who read to their children at least twice as often than they had before attending library training” or “Number of users who find a new job after using the library’s resources and services”.

   (4) **Units of Service**: for example, “Number of story times for preschoolers” or “Number of job and career development services”.

   An objective combines the Measure, Target, and Date or Time Frame (but not necessarily in this order).

   **An example of an objective**:

   During 2017 the library will have 50 preschool story times.
During 2017 (time frame), the library will have 50 (target) preschool story times (measure 4, units of service).

Another example of an objective:
During 2017, 75% of participants surveyed will respond that job and career services are very good.
During 2017 (time frame), 75% (target) of participants surveyed will respond that job and career services are very good (measure 2, perceptions of users).

Aspen Action Guide

Another resource to use for strategic planning is the Aspen Institute’s Action Guide for Re-Envisioning Your Public Library. There is also a Facilitator’s Guide available to assist you with productive community/stakeholder discussions. The Action Guide and Facilitator’s Guide are based on findings in the Aspen Institute’s report: Rising to the Challenge: Re-Envisioning Public Libraries. These are all free to download; you need only provide your name and email (you may receive one or two news emails a year from the Institute).

The Guide will lead your library through a variety of strategic activities and provides worksheets that evaluate the current level of support for your library and the resources needed to plan and convene a community dialogue. The Aspen Institute Dialogue on Public Libraries has identified four strategic opportunities for action to guide this continuing transformation:

1. Align library services in support of community goals
2. Provide access to content in all formats
3. Ensure the long-term sustainability of public libraries
4. Cultivate leadership

In order to achieve these opportunities, you are led to these opportunities through a series of three pathways:

- The Learning Pathway – enables your library to take stock of what you are doing and how well the library is aligned with community goals. It includes sections on People, Place, and Platform – the three critical assets that libraries provide in each community. Included in this pathway is the SOAR assessment – a strengths-based strategy for community development. The tool is most effective if used in a process of collaboration with all levels of staff, the library board and community.

- The Leading Pathway – gives the library the direction to take what was learned and begin to develop a strategy for strengthening relationships with the community and the key networks within it. It includes sections on Strategies for
Success and Action Steps for Library Leaders and Engaging Community Leaders.

- The Implementing Pathway – provides the opportunity to take what you have learned from the internal and external reviews to plan and conduct a community dialogue with key stakeholders. This path includes the sections Convening Your Community Dialogue and Taking Action: Next Steps. Truly engaging leaders and members of the community is vital to your future library success.

The SOAR (Strengths, Opportunities, Aspirations, and Results) Assessment included is somewhat different that the usual SWOT (Strengths, Weaknesses, Opportunities, and Threats) Assessment. SOAR helps groups and communities focus on what they are doing well, what areas or capacities can be improved on, and what is most compelling to stakeholders. Look at it this way: What are your greatest strengths? What are your best opportunities? What is your preferred future? What are the measurable results that will tell you that you have achieved that vision of the future?

The procedures and activities required to bring all levels of staff, board members, and a rich variety of community members and stakeholders together can be daunting and cumbersome. It may seem impossible in many ways. The Action Guide draws you into and through the process in a manner that encourages you to think in different terms helping to identify resources, stakeholders, and community needs that you were unaware of. The involvement of every group is key. The input of staff is valuable due to their participation in day-to-day interfaces with customers and basic library operations. It is also important for them to feel they have a voice in the overall plan. This is good management and leadership. The Library Board of Trustees is your governing body and advocates within the community. Bringing together members of multiple groups (whether age, ethnic, racial, political, social, etc.), businesses, and organizations within the community increase the depth of information the activities provide.

The Action Guide used in conjunction with the Facilitator’s Guide can incrementally help to achieve the desired result. The Aspen Institute developed the Facilitator’s Guide with the assistance of Maureen Sullivan (a past president of ALA) and proponent of the Action Guide for Re-Envisioning Your Public Library. It was designed for facilitators using the Aspen Institute’s planning resources. The content of the Facilitator’s Guide covers the following areas:

- Responsibilities of an Effective Facilitator – helps you to understand your role in the process.
- Three Stages of Facilitation – helps you plan and get started.
- Suggested Guidelines for the Discussion – includes tips for setting up the ground rules for the group to follow.
- Sample Talking Points, Sample Facilitation Questions, and Sample Discussion Agendas – provides content for developing your own facilitation script for use with the Aspen Institute Guide and report.
• Five Steps in Planning a Public Dialogue – includes important considerations for planning and executing a public dialogue based on the implementation pathway section of the Action Guide.

Whether or not you choose to use the Action Guide for Re-Envisioning Your Library for your strategic planning process it may benefit you to use the Facilitator’s Guide and the rich resources and examples available on the Aspen Institute Dialogue on Public Libraries website. These resources and examples will help guide any discussion for strategic planning purposes or evaluating community needs.

The report Rising to the Challenge: Re-Envisioning Public Libraries, the Action Guide, Facilitator's Guide, and all other resources can be found at: http://www.libraryvision.org/ and click on “Get the Action Guide”. There are more resources available to you from the same page.

Planning and LSTA (Library Services and Technology Act)

An important source of funding for services offered by public libraries is the APLS LSTA grants program, and we encourage libraries to include in their long range plans the objective of applying for LSTA grants (and other kinds of grants as well). To qualify for an LSTA grant a library must (among other requirements) demonstrate in its grant application (1) how a proposed project will support the library's mission and goals in its five-year plan and (2) how the project will support one of the goals in the APLS LSTA Five-Year Plan (currently covering FY2018-FY2022). We recommend that you review the APLS LSTA Five-Year Plan and incorporate relevant ideas from it in your own plan. LSTA (Library Services and Technology Act) funds are provided to APLS by the Institute of Museum and Library Services (IMLS). APLS uses these funds for the “Grants to Public Libraries Program”.

In LSTA grant applications for (1) Collection Development, (2) Youth and Family, and (3) Communities, the library must explain how the project supports Goal 2 of the APLS Five-Year Plan (FY2018-FY2022):

Support library programs, services, collections and partnerships that promote learning and literacy; serve children, youth, adults and families, including underserved populations; and enhance education, civic engagement, cultural opportunities and economic vitality of Alabama and its residents.

In LSTA grant applications for Technology the library must explain how the project supports Goal 3 of the APLS Five-Year Plan (FY2018-FY2022):

Provide information access to all populations through the provision of statewide access to electronic resources and cooperative services, enabling technology, and increased public awareness and use of libraries for information access, knowledge, ideas and cultural heritage.
Sample Plans

See Appendices 5 and 6 for sample long-range plans.

For Further Reading


The report Rising to the Challenge: Re-Envisioning Public Libraries, the Action Guide, Facilitator’s Guide, and all other resources can be found at: http://www.libraryvision.org/

Notes


2. The 18 library service responses are listed and described in detail in two publications of the Public Library Association:


3. Some wording in this section is taken directly (with permission) from The Action Guide for Re-Envisioning Your Public Library and the accompanying Facilitator’s Guide.
Chapter 5
Policies and Procedures

- Policies and Procedures Overview
- What is a Policy?
- Why are Policies Needed?
- How are Policies and Procedures Made?
- Policy Manual
- Suggested Content for a Library Policy Manual
- More About Procedures
- Policy Resources

Policies and Procedures Overview

In this chapter you will learn what policies and procedures are, why they are important, and how to create, review, and implement them.

As a trustee of a library that is funded by tax dollars and that attempts to meet the varying needs and desires of the general public, some of your decisions will be called into question. Most often the questions will arise not in response to your personal actions but in response to how the library of which you are a trustee operates.

Most policy problems for library boards center around personnel policies and Intellectual Freedom. Questions regarding human resources policies are generally raised by either job applicants who feel that they have been discriminated against in hiring or employees who feel that they have been unfairly (or unequally) dealt with in some employment situation (i.e. promotion, pay, harassment, benefits, etc.).

It is very important that the library board remain closely associated with library policies. No other single group should be more familiar with library policies, or more concerned about the quality of library services provided to the community.

Both policies and procedures can help library staff work more efficiently. The difference between the two may not always be obvious. Generally, policies are more philosophical, providing principles for guidance. Procedures consist of instructions to perform specific tasks. A policy deals with issues that may not always be sharply defined, like acceptable use of the library. Procedures typically are clear-cut, like opening and closing the library. In this chapter we will talk about each and which ones are important for your library.
What Is a Policy?

A policy is a governing principle formally adopted by the board. It consists of a carefully designed, broadly written statement that guides management actions and decisions. Policies must:

- Support the library’s mission statement and five-year plan
- Not conflict with the library’s bylaws
- Follow local, state, federal laws
- Provide staff and board with clear direction when making decisions
- Treat staff and patrons fairly
- Be clear and understandable
- Use the best library practices
- Not conflict with other policies

Why Are Policies Needed?

Policies translate the goals and objectives of the library’s plan into actions. Policies let library users know what to expect and that they are treated equitably. They give staff the information needed to do their jobs effectively. The development of clear and concise written policies is essential to effective library operations. Policies help the library director, staff, and board members make consistent service and administrative decisions. Policies are needed to clearly state the board’s position on critical issues. The natural result of absent, or weak, policies is inconsistent action. Inconsistency leaves any organization open to criticism and possible legal action. The time spent in developing sound and fair policies will be repaid many times over. To avoid any question of unfairness, policies are better developed before the actual need arises.

How Are Policies and Procedures Made?

Developing policies to guide the operations of the library should be a collaborative process between the board, the director, and staff. Library staff should be involved, as they will have to carry out the approved policies. The director, with input from the staff, is responsible for clearly stating the policy issues to be addressed and proposing solutions that are fair and reasonable. The director should bring drafts of policies to the board to review and adopt. The board should strive to reach consensus and to understand that, while policies are in writing, they are subject to revision as conditions change. Once policies are developed and approved by the board, it is the library director’s job to implement them.
A policy consists of two elements:

1. **Policy statement**: A brief, written statement that describes what the library does and why it does it. It’s written from the patron’s point of view, and it is approved by the library board.

2. **Regulations**: Specific, written rules that further define a policy. They describe what must be done to support the policy, and they are also approved by the library board.

Procedures are written, step-by-step descriptions of how the staff will carry out a policy and regulations. They are developed by the staff and director, and they are not reviewed or approved by the board. See the section below, "More About Procedures", on page 4-6.

The following are examples of a policy statement, regulations, and procedures:

**Internet Access Policy** (See Appendices 10, 11, 12, and 13)

*Policy statement—describes what the library does and why it does it*

The Library, recognizing the need to provide a variety of informational resources in varying formats, shall provide the public with access to the Internet and other forms of electronic media. The Library’s computer system and the Internet provide opportunities to integrate electronic resources from information networks around the world with other resources. Based on these premises, the Library will provide access to the Internet to the public at no charge, other than charges normally levied for supplies and utilities (i.e. costs for copies or printouts).

*Regulations—specific, written rules that further define a policy*

1. Library computers are the library-related learning, research, and information resources. No settings are to be changed, and no software downloaded without prior, expressed approval of the Library Director.

2. All users of electronic information resources are expected to use these resources in a responsible manner, consistent with educational and informational purposes for which they are provided.

3. Usage time is limited to 180 minutes per day in increments of 60 minutes.

*Procedures—step-by-step descriptions of how the staff will carry out a policy and regulations*

The library uses an automated computer control system. It has 29 public-use computers, and each computer is clearly numbered. Users may use a computer for a fixed time. They will be alerted by the software when their time is almost up. When their allotted time is up, they will be automatically disconnected.

When a patron comes to the desk to ask to use a computer, ask if they have a library card.
1. If the patron says yes, take the patron to the control computer and show them how to scan the barcode on their card.
   a. If a public-use computer is available, the system will assign the customer to a computer. Take the customer to the assigned computer and show them how to sign in.
   b. If no public-use computers are available, the control computer will tell them approximately how long it will be before a computer will be available. Explain that they will need to come back in a few minutes to see if a computer has become available. Explain also what they need to do to sign in at the available computer.

2. If the patron says no (they don't have a library card), have them fill out a temporary application, present their identification, and issue them a temporary user card and a temporary number for them to use to reserve and use a computer. Take the patron to the control computer and show them how to enter their temporary number. Then follow steps 1a or 1b above.

Policy Manual

Written policies should be compiled into one manual. The manual makes the process of learning policies easier for new trustees and staff. It also makes the process of update and review much easier. It is best practice to place policies pertaining to public service on the library’s website.

The policy manual should be reviewed by the board on a regular basis. Policies should be reviewed and updated if needed at least once every five years as a minimum. A better practice is to have the board review policies on an annual basis. A policy manual serves to strengthen communication between the board and the director, between the director and the staff, and between the staff and the public. Also, it demonstrates credibility and professional business practice. A policy manual should be well thought out and carefully written.

In addition to review by the board, it is advisable to have the policies reviewed by a city or county attorney to assure compliance with federal, state, and local laws and regulations.

Suggested Content for a Library Policy Manual

The following is a list of typical policy categories and examples of policy titles under each category. It is the library director’s responsibility to inform the board about insufficient, outdated, or nonexistent policies. Where a category or policy is listed that is required by the state aid rules, the relevant rule is referenced; however, other policies should be considered as well. Note that all state aid rules referenced are part of Chapter 520-2-2, Supplemental State Aid to Public Libraries, Alabama Public Library Service, Alabama Administrative Code. See Appendix 15 for the rules.
Administration and Governance

- Library establishment resolution—required by state aid rule 520-2-2-.03(1)
- Board by-laws—required by state aid rule 520-2020.03(2)(c)
- Conflict of interest
- Insurance
- Advocacy
- Marketing
- Public relations—required by state aid rule 520-2-2-.03(2)(d)5
- Relationship with the Friends of the Library
- Relationship with the library foundation
- Trustee recruitment and orientation
- Trustee education
- Reference to relevant ALA documents
- Planning
- Disaster preparedness and recovery—a disaster plan is required by state aid rule 520-2-2-.03(2)(e)5

Personnel—required by state aid rule 520-2-2-.03(2)(d)3

- Salaries and Position Classifications
  - Job descriptions—required by state aid rule 520-2-2-.03(2)(d)3
  - Organization chart
  - Salary schedules and information

- Benefits
  - Family and Medical Leave Act
  - Insurance
  - Retirement plan
  - Travel expenses
  - Vacations and leaves
  - Worker's compensation

- Personnel Procedures—required by state aid rule 520-2-2-.03(2)(d)3
  - Appointment
  - Disciplinary procedures
  - Grievance procedures—required by state aid rule 520-2-2-.03(2)(d)3
  - Performance evaluation—required by state aid rule 520-2-2-.03(2)(d)3
  - Personnel records
  - Promotions and demotions
  - Recruitment
  - Resignation and dismissals
  - Retirement
  - Staff development and training
  - Staff dress code
  - Staff on-the-job conduct
o Vacancies
o Volunteers

**Patrons**—required by state aid rule 520-2-2-.03(2)(d)2
- Customer service
- Patron conduct in the library
- Unattended children

**Collection Development**—required by state aid rule 520-2-2-.03(2)(d)6
- Community and clientele descriptions
- Purpose of collection
- Selection criteria and procedures
- Cataloging and classification
- Evaluation of collection
- **Gifts and donations including requests for appraisals; disposal of unwanted donations**—required by state aid rule 520-2-2-.03(2)(d)9
- Challenges
- Purchase and withdrawal of materials
- Staff responsibilities
- Reference to statements by the American Library Association concerning intellectual freedom such as:
  - Library Bill of Rights (see Appendix 7)
  - Freedom to Read (see Appendix 8)
  - Freedom to View (see Appendix 9)

**Use of Library Materials**
- Borrowers’ responsibilities and eligibility
- Confidentiality of records (see Appendices 10 and 11)
- Equipment use
- Fines and fees 520-2-2-.03(2)(d)8
- Interlibrary loan services
- Participation in state and national networks
- Protocols and procedures
- Loan periods
- Lost and damaged materials
- Open Access
- Registration
- Renewals and reserves

**Library Services**—required by state aid rule 520-2-2-.03(2)(d)7
- Reference and readers’ advisory services
- Library programs
- Computer and Internet use
  - Confidentiality of records (See Appendices 10 and 11)
Facilities—required by state aid rule 520-2-2-.03(2)(d)10

- Americans with Disabilities Act compliance
- Bulletin board and displays
- Emergencies and evacuation
- Hours of operation including holiday and weather closings
- Meeting room use
- Use of equipment and vehicles

More About Procedures

A procedure consists of instructions to perform specific tasks. A policy, on the other hand, deals with issues that may not always be sharply defined, like acceptable use of the library. Procedures typically are clear-cut, like opening and closing the library. A procedure is a written step-by-step description of how the staff will carry out a policy in the performance of specific tasks. As they are very important for training new staff, the director should make sure the necessary procedures are in place and that they are kept up to date. Procedures don’t have to be fancy or long. They just need to explain as simply as possible how to do a process. Your library probably already has some procedures, and hopefully even has a manual. The director should consider putting all of the procedures in one manual, and making them available on a staff intranet. This makes them easy to find. If your library doesn’t have typical procedures written down, the director should work with library staff to develop some. The person who does a particular job should be the one to write the procedure. Although procedures don’t need to be approved by the library board, it can still take time to develop them. The following are typical procedures that need to be included in a procedure manual:

- Opening and closing the library
- Circulation: check-out, check-in, etc.
- Interlibrary Loan
- Ordering materials: how? who?
- Receiving/processing new materials
- Collecting statistics
- Setting up board meetings
- Special events, such as story time
- Other special procedures, such as reserving the meeting room
- Emergency procedures: who to call in the event of an emergency, what to do
- Budget preparation
- Summer Reading Program
- Annual report
• Use of library meeting room

Procedures cover routine tasks. Tasks can be done daily, weekly, monthly or even annually. Some of these tasks may require special forms, copies of which should be included in the procedure manual.

Policy Resources
Below are some helpful resources to guide you on policies:

Books
• Larson, Jeanette, and Herman L. Totten. The Public Library Policy Writer: A Guidebook with Model Policies on CD-ROM. New York: Neal-Schuman, 2008. Print. (This title is held by the Alabama Public Library Service and is available at the APLS office or through interlibrary loan.)
• Nelson, Sandra S., and June Garcia. Creating Policies for Results: From Chaos to Clarity. Chicago: American Library Association, 2003. Print. (This title is held by the Alabama Public Library Service and is available at the APLS office or through interlibrary loan.)

Web Pages
• https://www.owlsweb.org/l4l/policies Outagamie Waupaca Library System, 225 N. Oneida Street, Appleton, WI 54911. This page has general information on developing policies, resources on developing specific policies, and sample policies.
• http://www.statelibraryofiowa.org/ld/k-p/Policies State Library of Iowa. This page has links to a number of sample policies.
• http://libguides.ctstatelibrary.org/dld/help/samples Connecticut State Library. This page has links to a number of sample policies.
Notes


3. Adapted from: State Library of Iowa. *Iowa Library Trustee’s Handbook* (see note 1).

Chapter 6
Laws Affecting Public Libraries

As a trustee, you will have to deal with legal issues. These include intellectual freedom, patron privacy, public meetings, open records, and employment. It’s a good idea to familiarize yourself with the pertinent laws, and direct questions to your legal counsel. Public libraries are required to have postings related to some of the state and federal laws, and information about postings starts on page 7-7. This handbook has summary information only, and it should not be construed as legal advice.

Establishment of Public libraries, §11-90-1 et seq. Ala. Code 1975 (See Appendix 1)

Authorizes the establishment and operation of public libraries.

Establishment of Alabama Public Library Service (APLS) (See Appendix 14)

The Alabama Public Library Service was established under Section 41-8-1 et seq, Code of Alabama 1975. It states:

In order to aid in the development of higher ideals of citizenship and the enlargement of opportunity for culture and recreation and in order to afford an additional means for the further upbuilding of the educational facilities of the state, there shall be a Public Library Service, which shall be known as the Alabama Public Library Service and shall have as its chief objective the development of a cooperative system of providing books and library service for the various municipalities and counties of the state. § 41-8-1, Ala. Code 1975.

The APLS Executive Board consists of seven members representing the seven Alabama congressional districts and is appointed by the Governor. The Board appoints the Director. APLS advises public, regional, municipal, and county libraries and communities in the state which may propose to establish public libraries.

State Aid Rules: Alabama Administrative Code, Chapter 520-2-2 (See Appendix 15)

State aid funds are appropriated by the legislature as a supplement to local funds designated for the provision of service in public libraries and public library systems. State aid funds are distributed quarterly to eligible libraries by the Alabama Public Library Service on a per capita basis. The rules governing the requirements to receive state aid are in the Alabama Administrative Code, Chapter 520-2-2, Supplemental State Aid to Public libraries, http://www.alabamaadministrativecode.state.al.us/docs/lib/520-2-2.pdf

Confidentiality of Patron Records, §41-8-9 and §41-8-10, Ala. Code 1975 (See Appendix 10)
The registration and circulation records and information concerning the use of the public libraries of Alabama are confidential.

Open Meetings Law, Title 36, §36-25A-1 et seq, Ala. Code 1975 (See Appendix 2, Alabama Open Meetings Act)

All meetings of governmental bodies must be open to the public. Notice of meetings must be posted 7 calendar days in advance in a manner reasonably convenient to the public. A meeting is defined as a gathering of a quorum of the members of the body, whether or not prearranged. The public may be excluded when the body goes into an executive session to discuss issues such as:

1. The general reputation and character, physical condition, professional competence, or mental health of individuals (usually employees).
2. To consider the discipline or dismissal of, or to hear formal written complaints or charges brought against an individual, corporation, partnership, or other legal entity subject to the regulation of the governmental body.
3. To discuss with their attorney the legal ramifications of and legal options for legal matters.
4. To discuss the consideration the governmental body is willing to offer or accept when considering the purchase, sale, exchange, lease, or market value of real property.

Alabama Ethics Law Requirements

The Alabama Ethics Law can be found, in its entirety, in Chapter 25 of Title 36 in the Code of Alabama. All public officials and public employees must be in compliance with the Law (see definitions below).

A Public Official is defined as:

Any person elected to public office, whether or not that person has taken office, by the vote of the people at state, county, or municipal level of government or their instrumentalities, including governmental corporations, and any person appointed to a position at the state, county, or municipal level of government or their instrumentalities, including governmental corporations. For purposes of this chapter, a public official includes the chairs and vice-chairs or the equivalent offices of each state political party as defined in Section 17-13-40.

A Public Employee is defined as:

Any person employed at the state, county, or municipal level of government or their instrumentalities...who is paid in whole or in part from state, county, or municipal funds. For purposes of this chapter, a public employee does not include a person employed on a part-time basis whose employment is limited to providing professional services other than lobbying, the compensation for which constitutes less than 50 percent of the part-time employee's income.
More information is available on the website of the Alabama Ethics Commission, including a training video under the heading "Education": http://ethics.alabama.gov/

The entire ethics law can be found at http://www.ethics.alabama.gov/law.aspx. You can also contact the Attorney General's Office www.ago.alabama.gov 334-242-7300 (main number).

When in doubt—ASK! Contact the Alabama Ethics Commission:
Website: http://www.ethics.alabama.gov/
Phone: (334) 242-2997

State Bid Law, § 41-16-20 et seq, Ala. Code 1975
Generally, “all contracts of whatever nature for labor, services, work, or for the purchase or lease of materials, equipment, supplies, other personal property or other nonprofessional services, involving fifteen thousand dollars ($15,000) or more, made by or on behalf of any state department, board, bureau, commission, committee, institution, corporation, authority, or office shall, except as otherwise provided in this article, be let by free and open competitive bidding, on sealed bids, to the lowest responsible bidder.” § 41-16-20(a), Ala. Code 1975

Competitive bids are not required for “purchases of manuscripts, books, maps, pamphlets, or periodicals.” § 41-16-51(8), Ala. Code 1975.

Internet Access
Libraries should have a written policy that specifically describes prohibited material, which must be uniformly applied to all patrons. The Child Internet Protection Act (20 U.S.C. § 9134(f)(1)(A)(i) and (B)(i); 47 U.S.C. § 254(h)(6)(B)(i) and (C)(i)) requires libraries that receive federal funds to block: (a) obscene material, (b) child pornography, and (c) material that is harmful to minors. The Supreme Court decision in United States v. American Library Association, No. 02-361 (June 23, 2003), "the CIPA decision", means that public libraries that accept federal dollars must install filters on all computers. Filters may be disabled for appropriate patrons. See Appendices 12 and 13.

Records Retention and Disposition
While it might be tempting to clean out old boxes of documents, it is important to first double check the state regulations for records retention to ensure you meet legal requirements for records retention. Depending on the record, you may be legally required to retain it permanently, or you may have to retain it a certain number of years before destroying it. In addition, check with your city and county to determine what records they may require the library to maintain.

Under the Code of Alabama 1975, Section 41-13-23, "no county, municipal, or other local government official, shall cause any ... record to be destroyed or otherwise disposed of
Without first obtaining the approval of the Local Government Records Commission.” The website of the Commission is at http://www.archives.alabama.gov/officials/local00.html. The Commission has published a document titled Alabama Public Libraries Functional Analysis and Records Disposition Authority, which describes records created by public libraries and specifies the disposition of these records. It is available online at Records Disposition Authority for Public Libraries.

One essential form that must be completed prior to the destruction of records is the “Local Government Records Destruction Notice”, which is used to document the legal destruction of records in the above Records Disposition Authority. It must be completed in accordance with the rules of the Local Government Records Commission and emailed to the Alabama Department of Archives and History (ADAH) using the address printed on the form. After the form has been reviewed, ADAH staff will send a "letter of eligibility" approving the destruction. Records may not be destroyed prior to receipt of the letter of eligibility.

The records destruction notice form is at: Local Records Destruction Notice Form.

A form filled out as a sample is at: Sample Local Records Destruction Notice Form.

The term "volume" used at the top of the second page of the form means the number of cubic feet of obsolete paper to be destroyed.

For questions about Alabama’s public records laws, or for assistance with developing a records management program, contact: Alabama Department of Archives and History, Records Division, P.O. Box 300100, Montgomery, AL 36130-0100; telephone (334) 242-4452; fax (334) 240-3125; email records@archives.state.al.us; website www.archives.state.al.us

Americans with Disabilities Act (ADA)

The Americans with Disabilities Act protects both library employees and library users with disabilities from discrimination. Public libraries have always had to comply with ADA regulations since the law was passed in 1990, and library administrators should be aware of current standards. If a public library has a current project under way or it has one planned, then the library administration should have their architect and/or local government attorney make sure that the project will conform with all applicable parts of the ADA law, regulations, and standards. More information can be found at these links:


Revised ADA Regulations Implementing Title II and Title III: http://www.ada.gov/regs2010/ADAregs2010.htm

ADA Update: A Primer for Small Business (the standards for public entities are similar to those for commercial establishments, so this document may be helpful for libraries): [http://www.ada.gov/regs2010/smallbusiness/smallbusprimer2010.htm](http://www.ada.gov/regs2010/smallbusiness/smallbusprimer2010.htm)

ADA.gov Information and Technical Assistance on the Americans with Disability Act: [https://www.ada.gov/?topic_id=1370100&library=PublicWeb](https://www.ada.gov/?topic_id=1370100&library=PublicWeb)

U.S. Copyright Laws

A library board should establish itself as being in compliance with U.S. copyright laws (Title 17, *U.S. Code*). Signs should be posted near copy machines with a basic copyright compliance statement such as: "NOTICE: The copyright law of the United States (Title 17, *U.S. Code*) governs the making of photocopies or other reproductions of copyrighted material. The person using this equipment is liable for any infringement".

US Patriot Act

A set of federal anti-terrorism measures that lowers the standards of probable cause for obtaining intelligence warrants against suspected spies, terrorists, and other enemies of the United States. See Appendix 11 and the information on page 7-8, under Law Enforcement Inquiries.

Labor Laws

There are a number of labor laws that must be complied with. Below are some of the ones to be aware of:

| **Affordable Care Act** [federal] | Also known as “Obamacare,” this act is intended to ensure health insurance coverage for all Americans and to reduce health care costs: [http://www.healthcare.gov/](http://www.healthcare.gov/) |
| **Age Discrimination in Employment Act (ADEA)** [federal] | Prohibits employers from discriminating against employees 40 years of age and older: [http://www.eeoc.gov/laws/statutes/adea.cfm](http://www.eeoc.gov/laws/statutes/adea.cfm) |
| **Americans with Disabilities Act (ADA)** [federal] | Protects individuals with disabilities from discrimination in regard to job application processes, hiring, promotion, termination, compensation, job training and other conditions of employment: [http://www.ada.gov/](http://www.ada.gov/) |
| **Civil Rights Act of 1964, Title VII** [federal] | Title VII prohibits employment discrimination based on race, color, religion, sex and national origin. For more information go this website of the U.S. Equal Employment Opportunity Commission: [https://www.eeoc.gov/laws/statutes/titlevii.cfm](https://www.eeoc.gov/laws/statutes/titlevii.cfm) |
**Equal Employment Opportunity (EEO) Laws [federal]**  
Includes the Civil Rights Act of 1964, the Americans with Disabilities Act and the Age Discrimination in Employment Act, among others. The U.S. Equal Employment Opportunity Commission (EEOC) enforces all of these laws:  
http://www.eeoc.gov/facts/qanda.html

**Fair Labor Standards Act (FLSA) [federal]**  
The FLSA establishes minimum wage, overtime pay, recordkeeping, and youth employment standards affecting employees in the private sector and in Federal, State, and local governments. Covered nonexempt workers are entitled to a minimum wage of not less than $7.25 per hour effective July 24, 2009. Overtime pay at a rate not less than one and one-half times the regular rate of pay is required after 40 hours of work in a workweek. Monitored by the United States Labor Department, Wage and Hour Division. Time clocks are not necessary. Records must be kept in no particular manner. For more information go to this website of the U.S. Department of Labor, Wage and Hour Division: https://www.dol.gov/WHD/FLSA/

**Family Medical Leave Act (FMLA) [federal]**  
The FMLA entitles eligible employees of covered employers to take unpaid, job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave. For more information go to this website of the U. S. Department of Labor, Wage and Hour Division: https://www.dol.gov/whd/fmla/

**Federal Insurance Contributions Act (FICA) [federal]**  
Authorizes an employment tax that pays for retirement benefits through Social Security and Medicare. Employers withhold employees' share of FICA taxes from paychecks and then pay a matching amount: http://www.irs.gov/pub/irs-pdf/p15.pdf

**Immigration Reform and Control Act (IRCA) [federal]**  
Prohibits employers from knowingly hiring or continuing the employment of aliens who are not authorized to work in the United States. When an applicant is hired, the employer must sign an I-9 Form, attesting that it has verified the applicant's identity and authorization to work in the United States.  

(a) No business entity, employer, or public employer shall knowingly employ, hire for employment, or continue to employ an unauthorized alien to perform work within the State of Alabama. Knowingly employ, hire for employment, or continue to employ an unauthorized alien means the actions described in 8 U.S.C. § 1324a.

(b) Effective April 1, 2012, every business entity or employer in this state shall enroll in E-Verify and thereafter, according to the federal statutes and regulations governing E-Verify, shall verify the employment eligibility of the employee through E-Verify. A business entity or employer that uses E-Verify to verify the work authorization of an employee shall not be deemed to have violated this section with respect to the employment of that employee.
<table>
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<tr>
<th><strong>Laws Affecting Public Libraries</strong></th>
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| **Jury Systems Improvement Act of 1978 (JSIA)**  
JSIA prohibits employers from discharging, intimidating or harassing employees who are selected for jury duty: [http://www.law.cornell.edu/uscode/text/28/1875](http://www.law.cornell.edu/uscode/text/28/1875) |
Prohibits employers from discriminating against employees in the area of hiring, promotion, training, or any other employee benefits for the employee's past, present and future participation in uniformed services: [http://webapps.dol.gov/elaws/vets/userra/userra.asp](http://webapps.dol.gov/elaws/vets/userra/userra.asp) |
| **Occupational Safety and Health Act (OSHA)**  
Requires employers to maintain health and safety standards at the workplace, and requires the workplace be free from recognized hazards: [http://www.osha.gov/](http://www.osha.gov/) |
| **Pregnancy Discrimination Act (PDA)**  
The Pregnancy Discrimination Act (PDA) is an amendment to Title VII of the Civil Rights Act of 1964. Discrimination on the basis of pregnancy, childbirth, or related medical conditions constitutes unlawful sex discrimination under Title VII. Women affected by pregnancy or related conditions must be treated in the same manner as other applicants or employees who are similar in their ability or inability to work. For more information go this webpage of the U.S. Equal Employment Opportunity Commission: [https://www.eeoc.gov/eeoc/publications/fs-preg.cfm](https://www.eeoc.gov/eeoc/publications/fs-preg.cfm) |
| **Retaliation**  
An employer may not fire, demote, harass or otherwise "retaliate" against an individual for filing a charge of discrimination, participating in a discrimination proceeding, or otherwise opposing discrimination. The same laws that prohibit discrimination based on race, color, sex, religion, national origin, age, and disability, as well as wage differences between men and women performing substantially equal work, also prohibit retaliation against individuals who oppose unlawful discrimination or participate in an employment discrimination proceeding. In addition to the protections against retaliation that are included in all of the laws enforced by Equal Employment Opportunity Commission (EEOC), the Americans with Disabilities Act (ADA) also protects individuals from coercion, intimidation, threat, harassment, or interference in their exercise of their own rights or their encouragement of someone else’s exercise of rights granted by the ADA: [https://www.eeoc.gov/laws/types/facts-retal.cfm](https://www.eeoc.gov/laws/types/facts-retal.cfm) |
| **Sexual Harassment**  
Sexual harassment is a form of sex discrimination that violates Title VII of the Civil Rights Act of 1964. Title VII applies to employers with 15 or more employees, including state and local governments. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile, or offensive work environment: [https://www.eeoc.gov/eeoc/publications/fs-sex.cfm](https://www.eeoc.gov/eeoc/publications/fs-sex.cfm) |
| **Unemployment Insurance**  
Unemployment Insurance is a joint state-federal program that provides cash benefits to eligible workers. Unemployment insurance payments are intended to provide temporary financial assistance to unemployed workers who are unemployed through |
no fault of their own. Each state sets its own additional requirements for eligibility, benefit amounts, and length of time benefits can be paid: 

<table>
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<tr>
<th>Wage Garnishment Laws</th>
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<tr>
<td>Title III of the Consumer Credit Protection Act limits the amount of an employee’s disposable earnings that can be garnished:</td>
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<table>
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<tr>
<th>Workers’ Compensation</th>
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<tbody>
<tr>
<td>Provides workers with medical care, wage compensation and disability benefits for workplace injuries. These laws also protect employers from litigation:</td>
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</table>

Poster Requirements

Public libraries are required to have posters related to some state and federal laws. These posters must be displayed in the library where employees may easily see them and read them.

Alabama Poster Requirements

There are three posters required by Alabama law, and all are available free of charge by downloading and printing them from this website:

https://labor.alabama.gov/docs/doc_type.aspx?id=2

They are:

- Alabama Child Labor Law poster
- Alabama Workers’ Compensation Information poster
- Alabama Unemployment Compensation poster

Federal Poster Requirements

Some of the federal statutes and regulations enforced by the U.S. Department of Labor require that notices be provided to employees and/or posted in the workplace. The Department of Labor provides free electronic copies of the required posters.

Posting requirements vary by statute; that is, not all employers are covered by each of the statutes and thus may not be required to post a specific notice. The Department of Labor has developed an automated method of determining which posters employers are required to display, called elaws Poster Advisor, and the required posters may be downloaded free of charge and printed directly from the Advisor. This is the link to the Advisor: https://webapps.dol.gov/elaws/posters.htm

When you go to this Advisor webpage you will find an oval-shaped start button with the words “Begin FirstStep Poster Advisor Now”. After you answer a series on online questions, the system produces a customized list of required posters. The list will be only as accurate as the information entered, and it is advisable to have your legal counsel review the information and the posters to assure compliance with all laws and regulations.
For a complete listing of all posters organized by topic, use this link: 
https://www.dol.gov/general/topics/posters

Law Enforcement Inquiries
As a matter of policy and procedures, the library director should ensure that:

- The library staff and governing board are familiar with Alabama’s confidentiality statute §41-8-9 and §41-8-10, Ala. Code 1975).
- The library adopts a policy on users’ privacy and confidentiality that includes procedures for the staff and board to follow if the library is served with a court order for records or if law enforcement agents conduct inquiries in the library.
- The library staff is familiar with the library’s policy on confidentiality and its procedures for handling court orders and law enforcement inquiries.
- The library staff and governing board are familiar with ALA policies on confidentiality. More information may be found at: http://www.ala.org/advocacy/privacy.

For more information see Appendix 10, Confidentiality of Library Records.
Chapter 7

Funding

- Trustee Responsibilities
- The Budget Process
- Following the Money
- Sources of Library Funding
- Tips for Successful Budget Planning
- Raising funds for the library

Trustee Responsibilities

In order to make good decisions, library board members need a basic understanding of library finances. The board has a clear responsibility to ensure that public funds are used in the best interest of the community and that the library has adequate financing to continue its programs and services.

Public library trustees are legally responsible for overseeing library finances. Accountability and awareness are keys to meeting fiscal responsibilities. Accountability is imperative because public funds are being expended. Awareness is crucial because the board cannot make wise budgeting decisions unless members are aware of how the library is funded, what it costs to run the library, what the library needs, and what those needs will cost.

To understand the budgeting process and approve an annual budget for the library, board members must know where the money comes from and how much revenue they can expect to build into the budget each year. A good understanding of revenue sources is important as board members must encourage continued funding from those sources and find new sources when needed.

Each board member should:

- know the library’s financial base and background
- know the governmental unit(s) allocating the local appropriation
- know the grants available from the state and federal government
- understand the basics of legal regulations and reporting required for library funding
- understand the financial needs of the library operation and plan for funds needed for growth and expansion
- investigate other possible sources of funding: endowments, trusts, memorials, dedicated tax revenue, foundation grants, donations, gifts and fines
The Budget Process

The budget process serves three basic purposes:

1. It provides accountability, which is related to the stewardship role of the library. The trustees have a responsibility to safeguard public funds. However, the stewardship role also includes spending the funds needed to provide library services to the community.

2. It provides financial information, which relates to the management role of trustees and the need for accurate, timely, and reliable information as a basis for effective decisions and library policies.

3. It provides information from which the public can assess the financial conditions and operations of the library.

The Budget Calendar

The budget process for the next fiscal year begins shortly after the beginning of the current fiscal year. This process includes the following steps:

1. The board president has the option to appoint a budget committee (or finance committee). The committee may consist of only two members where there is a five-member board. To comply with the Alabama Open Meetings Law the number of committee members may not form a quorum of the whole board.

2. Define the library's goals for the upcoming year based on the library's long-range plan. (Director and Committee)

3. Gather information to project costs of providing services and meeting the year's goals. (Director)

4. Estimate potential income from local government appropriations, gifts, fines, fees, grants and any other possible source of income. (Director)

5. Compare costs and income to see if all the goals can be met. If income exceeds or equals costs, the budgeting process continues. (Director and Committee)

6. Adjust objectives if funding doesn't cover goals, or search for additional funding. (Director and Committee)

7. In the course of preparing a draft budget, the library director should gather information for the trustees to review in developing the budget. The director and committee should be prepared to answer questions from the whole board. Some questions trustees might ask are:
   - Did more people use the library this year?
● Were the prior year’s line item costs accurate?
● Is there a need for more programming?
● Have there been requests for new services or technology?
● Are there better ways to serve the community through the library?

8. Present the written budget to the board. (Director and Committee)

9. If the board approves, typically the director presents the budget to the funding body, with members of the board present at the meeting of the funding body.

The director and the library board work on the budget together, but ultimately the library board is responsible for its approval so that the budget can be presented to the funding body within the required time frame and following the required procedural steps.

As in any planning activity, it is important to establish a schedule. A comprehensive, balanced budget cannot be compiled overnight. Adequate time must be allowed for planning, gathering information, reviewing goals, and producing a finished product that will allow the library to meet the community’s needs for library services. The calendar below shows specific steps for building the budget based on an October 1 to September 30 fiscal year. Library calendars may differ somewhat among libraries. This is simply a possibility for building a library budget.

<table>
<thead>
<tr>
<th>October</th>
<th>Review fourth quarter budget report. Review goals, objectives, and strategies for past fiscal year. Make adjustments in present fiscal year if needed.</th>
</tr>
</thead>
<tbody>
<tr>
<td>November</td>
<td>Review final annual report for just-ended fiscal year. Approve and submit it to appropriate governing body and State Library.</td>
</tr>
<tr>
<td>December</td>
<td>Begin work on needs assessment for next year. Brainstorm approaches. Delegate follow-up effort (director, committee).</td>
</tr>
<tr>
<td>January</td>
<td>Review first quarter report. Evaluate objectives and strategies in progress. Review previous fiscal year audit.</td>
</tr>
<tr>
<td>February</td>
<td>Review present costs and projections. Review current needs assessment; brainstorm possibilities for responses. Reach agreement on prioritized needs. Assign further research if needed for June reporting. Obtain and review information on projected revenues for coming year.</td>
</tr>
<tr>
<td>March</td>
<td>Review goals and objectives for present year. Establish goals and objectives for the coming year based on staff, community and other input.</td>
</tr>
<tr>
<td>April</td>
<td>Review second quarterly report. Review strategies and budget requests. Prioritize by objectives established in November. Library board should assign committee (if not already done) to work with director to prepare draft budget for board review. Reconfirm projected revenue information.</td>
</tr>
<tr>
<td>May</td>
<td>Board should review draft budget prepared by director and committee.</td>
</tr>
<tr>
<td>June</td>
<td>Board should consider holding a public hearing on draft preliminary budget. Adopt preliminary budget.</td>
</tr>
<tr>
<td>July</td>
<td>Submit preliminary budget request or certified budget to funding body.</td>
</tr>
<tr>
<td>August</td>
<td>Continue to work with submitted request or budget. Review third quarter budget report. Adopt final budget for next year and submit it to appropriate authority.</td>
</tr>
<tr>
<td>September</td>
<td>Review and finalize any adjustments in closing out the present year.</td>
</tr>
</tbody>
</table>
Following the Money

The library board has control over the library's expenditures. Although the library board should delegate the power to purchase materials, supplies and other items to the director, the board needs to be aware of purchases and should monitor the budget throughout the year. Library trustees should carefully review financial reports and be prepared to question them at board meetings, if necessary. Some boards meet monthly while others meet quarterly. In the information below both types of meeting frequency are indicated.

Monthly (or Quarterly) Reports

The director should provide the board with a monthly (or quarterly) statement that shows at least the following:

- Monthly (or quarterly) income (revenue)
- Cumulative income for the year
- Cash on hand
- Monthly (or quarterly) expenditures by budget category
- Current list of bills
- Cumulative expenditures for the year by budget expenditure
- A list of library accounts, including checking and savings accounts, and certificates of deposit.

Each month (or quarter) the director and board should compare budget figures with actual amounts. Did the library get the expected income? Did the expenditures match the budget? If not, the director needs to find out why, be able to explain variances, and recommend to the board adjustments in the budget if necessary. Also, when the director and the board review the reports, they should look for yearly patterns of expenditures, such as energy bills in the winter, fees for building repairs or grounds maintenance in the summer, special program costs such as those associated with summer reading programs, and purchases of supplies and materials that occur once or twice a year. These expenditures should be compared with expenditures made in the previous cycle, and the director should be prepared to explain significant differences.

Revenues

If your library receives funding from federal, state or private grants and gifts or donations, it is important to meet the reporting and auditing requirements of the funding sources. These funds may not be co-mingled in the same budget categories as general fund revenues budgeted by cities, counties and districts. Also gift funds must be deposited in a separate fund. While some private grants may be eligible for deposit in the gift fund, many will have reporting requirements similar to those for federal and state funds.
All revenues, including fines and fees, must be budgeted as a part of the regular budgeting process and amended in the same way. Cash for fines and fees collected in the library must be acknowledged by receipt and deposited as often as recommended by your auditor, but not less than weekly. Fines and fees must never be deposited in the gift fund. Some cities and counties may attempt to revert fines and fees to the general fund. This can be avoided by appropriately budgeting them as revenue and expenditures. For protection of the library staff, cash collected for fines and fees must never be treated as petty cash. If petty cash is needed, a separate fund should be established and used as necessary. Receipts must back up all withdrawals.

Auditing

The board of trustees has the fiduciary responsibility for all funds in the public library budget. Cities and counties usually include public libraries in their annual audit. In case the library is not covered by its local government, the board should budget for an annual audit and review and implement all relevant recommendations annually.

Amending the Budget

When the library's budget is adopted, it gives the board the authority to spend all funds budgeted. If the library receives additional income from any source, it cannot be spent unless the budget is amended to include this additional income. No library can spend more than has been budgeted unless the budget is formally amended. This does not apply to library funds maintained in gift funds, by foundations, or by Friends of the Library.

Sources of Library Funding

There are several sources of funding for Alabama public libraries. These may include local government, the state of Alabama, the federal government, E-rate, private grants, gifts, fees and charges, a Friends organization, a library foundation, and, in some cases, special local taxes.

Local Government

Most funding for the operation of a public library is provided by local funding provided from the tax revenue of the county or municipality served by the library. In most cases the library director will develop a proposed budget based on anticipated operating costs and proposed sources of funding. The library board should consider the director's recommendation and formally approve a budget request for presentation to the local government. When the request goes to the county or municipality, it should be the request of the library board. The budget process is probably the most important annual event for the library. Trustees should be completely familiar with the request as well as with the library's overall budget and be able to convey to local officials why the financial support is needed. Trustees provide the most influential voice in obtaining adequate financial support for the library. The director will often be called upon to voice the request,
but the trustees should be present in total support. It is not the director's library or the
director's budget request.

State of Alabama

Supplemental state funding for public libraries is provided through the Alabama Public
Library Service (APLS). Funds for state aid are included by the legislature in the annual
APLS budget and are distributed on a per capita basis. To determine the legal service
areas of libraries for state aid purposes, APLS uses the U.S. Census Bureau's Population
Estimates Program, which produces estimates of the population for the United States
including states, counties, cities, and towns. Each year the new population estimates are
released on or about July 1st for the previous year. To qualify to receive funds, libraries
must meet rules established by APLS. In addition small amounts may be given directly
by legislators to libraries within their districts.

Federal Funding

The main source of federal funding consists of LSTA grants awarded and administered
for specific library projects by APLS. LSTA stands for Library Services and Technology
Act. Congress appropriates funds, and these are distributed by a formula to each state.
Funds are administered at the federal level by the Institute of Museum and Library
Services (IMLS). Priorities for programs and available funding are established annually.
APLS distributes guidelines for annual programs for which Alabama libraries may apply.
Recommendations regarding which grants to fund and their level of funding are prepared
by the LSTA Advisory Council and sent to the APLS Executive Board for action.

E-Rate funding is available through the Telecommunications Act of 1996 to assist libraries
and schools with their telecommunication and Internet costs. Funding is provided to
virtually any public library (or public library system) on a formula based on the number of
children eligible for free and reduced meals in the corresponding school district. The
application process can be challenging, but, since the costs of modern telecommunication
services are high, E-Rate can provide very significant reductions in cost. APLS consulting
staff can answer some basic questions and provide directional guidance to further
sources of information; however, they cannot prepare the necessary paperwork for E-
Rate applications.

Private Grants

Private foundations, trusts, businesses and corporations may award grants to assist local
libraries with programs, services, or building projects. Many times the grants are from
local or regional organizations or businesses that wish to give something back to their
communities.
Gifts

A library board should establish a policy (and the director should develop a set of procedures) for accepting, accounting for, and using gifts.

Fees and Charges

This source of funding may include late fees, photocopy charges, and meeting room charges. A library board should establish a policy (and the director should develop a set of procedures) for accepting and accounting for these funds.

Special Taxes

Some communities have gotten special legislation approved that allocates certain types of taxes to the library. These special allocations include taxes on such items as beer and real property. Theoretically, it is possible to have special support from virtually any taxable source. However, almost all such taxes must first be approved by the legislature and then through a local referendum.

Special Property Tax

Amendment 269 of the Alabama Constitution authorizes a special property tax by counties and municipalities for public library purposes. This amendment allows any community to tax itself at the level of 0.5 mill ($0.50 per $1,000) on the value of taxable property. This tax may be collected after a local referendum; however, in many communities, 0.5 mill may not produce significant dollars.10

Friends of the Library and Library Foundations

A library may have a Friends group that may pay directly for special programs, supplies, and equipment. Library foundations typically are created to raise large sums for major projects such as capital improvements.
Tips for Successful Budget Planning

First, know who does what

A necessary first step in successful budget planning is knowing who has authority and who does what in the budget planning process. Written policies and procedures should outline responsibilities and roles clearly. Developing the budget should not be up to the library director alone. Developing a budget is a team process. Trustees can play a vital role in creating the budget and getting it approved because they are the library’s link to the community and its government.

Understand the budget's planning context

The planning process is central to developing the budget since the budget must reflect the purpose and priorities of the library. Decide your priorities, make a plan that reflects those priorities, and then tie your budget to the plan. Be able to tell your funding sources what you are doing for your community, what you want to do, and what the expected results are. Requests, in other words, should be made within the context of a planning process. It’s not enough to ask for X percentage in increased funding. Tie requests to clearly stated purposes and priorities.

Give yourself and others time

It takes time to make a budget. Boards should develop planning calendars. Since budgeting, like planning, is a cooperative process, the director and staff must be given adequate time to make requests and recommendations. Local funding authorities must be given enough time to consider the budget too. Think long range, so funding resources for future growth can be identified or developed.

Question everything

Don’t simply manipulate a pre-existing pattern by adding and subtracting percentages or figures from programs and columns that were set up before. Again, the budget is the tool for accomplishing specific goals. When a goal has been accomplished, phase out the program or project that was designed to meet it and make a case that funding should be moved to the next priority or purpose.

Be realistic

Tune in to what is happening in your community. Understand the community's ability to pay so you know what can and can't be expected. Understand the competing demands of other agencies on your funding agency so you know your fair share in relation to others. Ask your director to use Bibliostat Connect (a national database of public library statistics) to gather comparable Public Library Survey data to compare your situation with other similar libraries and to compare your local government’s level of support with
other communities. If your director is not sure how to use Connect, they should contact your library’s assigned APLS consultant for help.

**Don't restrict your budget to available funding**

Remember that funds may increase or become unexpectedly available. Be ready to make use of those funds. Be in a position to find and use other sources of income such as federal and state grants and contributions. Not all money has to come from local government sources. Grants, donations, and sponsors can often be used for one-time projects. Look for community support for alternative funding when appropriate. When you find and use other funds, be sure your funding agency knows and publicize it within the community.

**The library is like a business**

A shoe store doesn't sell computers. It sells shoes. That is its mission or purpose. If it doesn't sell shoes, those in charge will be held accountable. Understand what your library is supposed to accomplish. For example, if your mission says that the library's role is to supply popular reading materials to the community, be sure it is playing that role and that the budget makes it possible. Remember that those who are responsible for the budget must be accountable.

**Keep it simple and tell the truth**

Make the library and its needs understandable and accessible. When talking to the public or officials, avoid acronyms and professional vocabulary that may be misunderstood. Do not exaggerate or underestimate. If you say something will happen if the budget is cut, you should be sure that those effects will happen. Be mindful of the importance of credibility.

**There is nothing secret about the budget**

People have a right to know how their money is spent. Make the budget understandable. Learn how to use simple and familiar comparisons to illustrate the value people are getting for their tax dollars. For example, instead of using large figures, use per capita figures for expenditures and then compare these to the average cost of a meal in a restaurant, the cost of one hardbound book, or the price of a movie ticket.

**Read, listen, and learn**

Learn from other agencies about how they develop and present their budgets. Pay attention to success and learn from the examples of others. Above all, listen to your funding agency and know what they are looking for and what impresses them.
When presenting the budget, tell your story and make your case

Don't justify only budget increases but justify the base as well. Tell them why the community needs the service and what is unique about what you do. Describe your contributions and tell how taxpayers benefit. Tell who uses the service and provide stories about people whose lives have been improved or made richer because of the services the library provides. Outline your goals and plans. Be sure they know you are accountable. And last, the use of graphs and/or charts is always effective in illustrating your case and should be used whenever possible.

Raising Funds for the Library

Working to find financial support is one of the most important roles for any trustee. Trustees should never forget their responsibility in this area or the great influence that they can have on elected officials when advocating for the library.

Advocacy efforts may deal with matters other than money. There may be a need to make officials aware of specific situations that may be improved (or worsened) by legislation. Still, funding requests are those that we most readily identify with the advocacy process. In your role as trustee you may be called upon to support local funding for your library as well as funding for statewide and federal programs that may benefit your library.

In regard to local funding, you may contact your county commissioner, mayor, or city council member. Usually, you will be reinforcing the library board's request for the annual budget or for a special allocation—such as a building project. Your personal contact is important because you are seen as a trusted member of the community and because you have personal ties to the people making the funding decisions. Personal ties are very important. Elected officials (like everyone else) are most likely to listen to, and have confidence in, people they already know. They already know you. They appointed you to the library board. They know it is your job to represent the interests of the library and they will appreciate your contact. The all-important matter of fund raising should not be left solely to the director. Paid staff are often seen as having a vested interest in the request, and the director may not be a long-time citizen of the community.

There may be someone in the decision-making process whom you know better than anyone else on the board. Make it your responsibility to see that this person is kept aware of the library. Do not limit your contacts just to requests for funding. If the library has a special program for children, let them know. Should the library win an award or receive special recognition, invite them to the ceremony. Introduce them to the director. Keep them aware of the library's daily activities in the community, not just its annual request for funding.

While they may feel comfortable contacting someone at the local government level, many trustees withdraw at the prospect of contacting state officials. Often they do not personally know the individual. The process by which legislation is approved intimidates them. They are not certain who to contact or how to reach them. Sometimes we feel that
our comments will not be heard or appreciated.12

State legislators are usually very receptive to comments—even though they may not be able to grant your request or may choose not to do so. Most state funding is the result of regular and long-term contacts. The same rules apply in contacting state representatives regarding local funding, except you may not personally know each other. The first rule of state advocacy is to become known to your legislator. When they learn who you are (particularly if you are from their district), they will welcome your comments and may appreciate them. Legislators are confronted with an insurmountable stack of paper at each session. It is not humanly possible for them to read, comprehend, and remember all that comes across their desk. It is not a coincidence that the groups who stay in touch with the legislature get their legislation passed.
Notes


2. Ibid. p. 36.

3. This part is a derivative (with changes) of: Montana State Library. (n.d.) New Library Directors Handbook (Finances) available at: https://bit.ly/2MiPFLA. Used by permission of the Montana State Library.

4. Ibid.


6. See Appendix 15 for the state aid regulations, covering state aid qualifying requirements, acceptable uses, and other details.

7. For detailed information on IMLS and its grants or programs, see www.imls.gov.

8. In order to receive funding for Internet services, the library must be compliant with the Children's Internet Protection Act (CIPA). See Appendix 13.

9. For a complete description of the program, see https://www.usac.org/default.aspx.


12. A listing of all legislators, committee assignments, status of pending legislation, etc. can be found at the website of the Alabama Legislature: www.legislature.state.al.us.
Chapter 8

Alabama Public Library Service

- Alabama Public Library Service Overview
- Library Development Department
- Reference Department
- Public Relations Office
- IT Department
- Library for the Blind and Physically Handicapped (BPH)
- Services for State Employees
- State Aid
- Library Services and Technology Act (LSTA)
- E-Rate Program
- Summer Library Program
- Electronic Resources
- Publications
- Annual Statistical Report

Alabama Public Library Service Overview

The history of the Alabama Public Library Service began with the founding of the Alabama Federation of Women's Clubs in 1897. The Federation actively developed libraries around the state. By 1900, twelve traveling libraries were in operation in Alabama. In 1904 the Alabama Library Association was formed to oversee the traveling libraries. A number of counties and towns started to establish local or regional libraries in the 1920s. By the 1930s there was clearly a need for a state agency to serve the needs of Alabama’s public libraries. The result was the establishment, in 1939, of the Public Library Service Division of the Alabama Department of Archives and History with House Bill 327. In 1959 the Legislature passed an act creating the Alabama Public Library Service (APLS) as a separate state agency.

APLS is charged with improving library services throughout the state to ensure that all citizens have quality library and information services. APLS is responsible for receiving and administering state aid funds as provided by the State Legislature, and federal funds as provided by Congress through the Library Services & Technology Act (LSTA). These funds are to be used to provide the best possible library service to the people of Alabama.
APLS provides the following services:

- Library services to the citizens of Alabama directly or through local public libraries.
- Library services for those with special needs through the Regional Library for the Blind & Physically Handicapped.
- Library services to the Alabama State employees to meet their work-related information needs.
- Assistance in establishing cooperative library services and networks.
- Continuing education opportunities for public librarians.

The APLS Executive Board consists of seven members appointed by the Governor, with one member from each congressional district. The Board appoints the Director. APLS was established under Section 41-8-1 et seq, Code of Alabama 1975 (see Appendix 14 for these sections). The law states that “it shall be the duty and power of the executive board to conduct the affairs of the Public Library Service, to administer the funds received from the Treasury that are allocated to the Public Library Service and to be responsible for the program and for such other activities as would naturally be administered by such an executive board.”

APLS location and contact information:

6030 Monticello Drive, Montgomery, AL 36117
Local: 334-213-3900
In Alabama: 800-723-8459
Website: www.statelibrary.alabama.gov

Library Development Department

The Library Development Department has professional staff who provide consulting services to public library directors, staff, library trustees, Friends groups, governing authorities, and others on a variety of public library policy and management issues. Each library has an assigned consultant who provides one-on-one guidance and support, by telephone, e-mail, or in person. Public library directors are encouraged to contact their consultants for advice (see page vi in the introduction for a map showing the consultants' regions and their contact information). Some of the services offered to public libraries include:

- Training and continuing education opportunities for library staff and trustees in such areas as administration, advocacy, and current topics.
- Assistance with collection development, cataloging, and interlibrary loan
- Helping to prepare applications for federal grants through the Library Services and Technology Act (LSTA)
- Distributing supplemental State Aid funds and assistance with State Aid Rules compliance
• Grant writing
• E-rate assistance
• Library management assistance: policy writing, long-range planning assistance, measuring impact on the community, and public relations
• Organizations: Friends of the Library groups and library foundations
• Technology: Automation training and support
• Statistical assistance
• Building maintenance and construction advising
• Programming advice

This training, advice and assistance increases staff competencies in both traditional library services and in new and emerging technologies.

Reference Department

The APLS Reference Department offers in-depth research services and can answer questions that cannot be handled at the local level. Extensive reference, professional development, Alabama Bicentennial and Alabamiana collections are available to state employees and public library staff. Book Club and NASA@ My Library interactive kits are also available through the Reference Department. The department maintains an extensive collection of library professional development materials covering topics such as maker spaces, programming on a budget, dealing with problem patrons, grant writing, fundraising, and collection development, among others. Professional development materials are available to Alabama’s public librarians through interlibrary loan.

Designed to supplement local resources, the Department is able to:

• Provide answers to reference questions
• Lend professional development materials, books, periodical articles, and book club materials
• Provide training on databases funded by APLS
• Provide tutorials/assistance with use of APLS and AVL databases

Public Relations Office

APLS Public Relations builds and maintains a positive public image for the agency and public libraries in general. Public Relations creates media, from press releases to social media messages that shape public opinion of the organization and increase awareness of its brand.

Tasks of APLS Public Relations:
• Responds to requests for information from the media or the public
• Establishes and maintains relationships with partnering agencies and public interest groups; seeks opportunities for partnerships
• Performs intensive communications work to develop, document, and disseminate an overarching and consistent message
• Writes press releases and other media communications to promote the agency and its programs
• Prepares and edits various printed and digital communications for internal and external audiences, including annual reports, newsletters, and brochures
• Updates and maintains content on the APLS website, especially announcements, the calendar, and publications sections
• Confers with managers to identify trends and group interests and provides advice on business decisions
• Serves as a spokesperson for the agency

IT Department

The APLS IT Department provides IT Help Desk services to all Alabama Public Libraries. Other operations include:

• Operating and maintaining the statewide video conferencing operations to provide a high-tech solution to the growing demand for meetings via video conferencing at no cost
• Building and maintaining simple websites for small public libraries
• Maintaining the agency website
• Hosting and publishing documents that are distributed statewide, including the agency annual report and newsletters
• Maintaining the online library catalog and making it available to anyone via the website
• Hosting several online reference databases
• Technology planning

Library for the Blind and Physically Handicapped (BPH)

The Alabama Regional Library for the Blind and Physically Handicapped (BPH), a division of APLS, is a free program that distributes Braille, recorded materials, and playback equipment to anyone who qualifies.

State residents who are legally blind, unable to see standard print, or have physical limitations that keep them from holding a book or turning pages are eligible for services.

For more information or to request an application for service, please contact BPH:

   Toll Free: 1-800-392-5671
   Local: 334-213-3906
   Or visit the APLS BPH Website: https://bit.ly/2AT72A5
**Services for State Employees** (Provided by the APLS Reference Department)

APLS offers many free library services to both state officials, state employees and members of the military (active, retired, veterans) including:

- Lending books and other work-related materials
- Providing answers to questions by telephone, fax, email, or in person
- Obtaining materials not in the collection through interlibrary loan
- Providing special-format materials for state employees with disabilities
- Visiting state offices and speaking to staff about the services APLS provides
- Demonstrating APLS/AVL Databases

**State Aid** (See Appendix 15)

State aid funds are appropriated by the legislature as a supplement to local funds designated for the provision of service in public libraries and public library systems. State aid funds are distributed quarterly to eligible libraries by the Alabama Public Library Service on a per capita basis. The rules governing the requirements to receive state aid are in the *Alabama Administrative Code*, Chapter 520-2-2, Supplemental State Aid to Public libraries, [http://www.alabamaadministriativecode.state.al.us/docs/lib/520-2-2.pdf](http://www.alabamaadministriativecode.state.al.us/docs/lib/520-2-2.pdf)

**Library Services and Technology Act (LSTA)**

LSTA (Library Services and Technology Act) funds are provided to APLS by the Institute of Museum and Library Services (IMLS). APLS uses these funds for the "Grants to public libraries program" and for statewide public library services. LSTA funds for public libraries include grants for collection development, technology, youth and family programs, programs for strengthening communities, and professional training for library staff. Statewide services paid for with LSTA funds include these electronic resources: Ancestry Library Edition, Chilton Library, and Learning Express Library (described below). A live online tutoring service, Homework Alabama, is funded with both LSTA and state funds. APLS also uses LSTA funds to acquire library materials for loan to citizens through their local public libraries and made accessible through an online catalog.

**E-Rate Program**

E-rate is the name for an extension of Universal Service, as authorized by Congress in the Telecommunications Act of 1996. This federal initiative provides discounts to public libraries and to public and private K-12 schools for telecommunications services, Internet access, Wi-Fi and some closely related costs. While APLS staff cannot prepare the necessary paperwork for e-rate applications, staff can answer some basic questions and provide directional guidance to further sources of assistance.
Summer Library Program

APLS provides promotional materials for a statewide Summer Library Program. The annual theme is promoted with posters, bookmarks, reading logs, stickers, and other items for summer reading programs in public libraries. APLS also provides a manual, which includes sections on programming for early literacy, children, teens, and adults. By providing these materials APLS helps take some of the financial burden away, allowing libraries to put more resources into their summer programming.

Electronic Resources

The following electronic resources are available on the APLS webpage: http://aplsws1.apls.state.al.us/aplsnew/content/electronicresources.

Alabama Virtual Library

The Alabama Virtual Library (AVL) provides all students, teachers, and residents of the State of Alabama with free online 24/7 access to essential library and information resources. AVL uses geo-location technology to authenticate Alabama residents; no login or password is needed for access. AVL is a cooperative project of the Alabama Public Library Service, Department of Education, Department of Postsecondary Education, Alabama Commission on Higher Education, and the Alabama Supercomputer Authority. The AVL is funded by the Alabama State Legislature.

Ancestry Library Edition

Ancestry Library Edition is a web-based genealogy tool that allows patrons to explore their own family histories through a vast selection of U.S. federal and state census data, birth, marriage, and death records, military records, Social Security death records, and immigration lists. It also includes an extensive collection of information from the U.K., including images, census records, and civil registrations. Ancestry Library Edition is only available to patrons on-site at Alabama public libraries. This service is made possible with federal funds provided by the Institute of Museum and Library Services (IMLS).

Chilton Library

Chilton Library provides access to repair, maintenance, and service information on the most popular cars, trucks, vans, and SUVS on the road today. This continually updated resource provides step-by-step repair procedures, troubleshooting guides, diagnostic trouble codes, photos, illustrations, diagrams, and videos and animations to simplify even the most complicated tasks. Chilton Library also provides access to recalls and service bulletins, estimated labor time to help users confidently estimate repair costs, and ASE mechanic certification prep materials. Chilton Library is readily available remotely to all Alabamians provided they have an Alabama IP address. There are several options (with
online instructions) available for people who use a mobile network or who live near a border state and do not have an Alabama IP address. This service is made possible with federal funds provided by the Institute of Museum and Library Services (IMLS).

**Homework Alabama**

Homework Alabama offers free online tutoring and academic resources from Tutor.com for Alabama residents from kindergarten students through college, plus adult learners. Users can get help in math, science, English, social studies or writing from a live tutor. Tutors are available 3 p.m. - 10 p.m., Sunday through Saturday. The Tutor.com SkillsCenter Resource Library is available 24/7. The services can be accessed from an Alabama public library, from your home computer, or from your mobile device.

Homework Alabama is funded with appropriations from the Alabama State Legislature and with federal funds provided by the Institute of Museum and Library Services (IMLS).

**Learning Express Library**

This virtual library is made up of several Learning Centers that offer practice tests, exercises, skill-building courses, and e-books to help individuals achieve their goals at school, work, or in life. It has materials for K-12 and college students to help improve their skills in many areas including math, reading, science, logic, writing, grammar, spelling, vocabulary, and public speaking. There are preparation guides for college, taking the GED, and receiving U.S. citizenship status. The website also contains information to help adults find jobs, improve their business writing skills, and learn more about different occupations. This service is made possible with federal funds provided by the Institute of Museum and Library Services (IMLS).

**Publications**

APLS has several publications available on its website at:
http://aplsws1.apls.state.al.us/aplsnew/content/publications

Go to the Publications tab on the APLS website for additional information.

**Annual Statistical Report**

Annually, public libraries throughout the country are required to report operational statistics on a survey administered by state libraries, and the data is then reported to the Institute of Museum and Library Services (IMLS). The results provide information to help public libraries evaluate their effectiveness and plan for the future. Data for every library in the country is available at this link to IMLS:
# APPENDICES

| Appendix 2: Alabama Open Meetings Act | A2-1 |
| Appendix 3: Hiring the Library Director | A3-1 |
| Appendix 4: Evaluating the Library Director | A4-1 |
| Appendix 5: Sample Long-Range Plan 1, Rutherford County Library System Strategic Plan 2015-2018 | A5-1 |
| Appendix 6: Sample Long-Range Plan 2, Sample Public Library Five Year Plan for Library Services Development 2016-2020 | A6-1 |
| Appendix 7: Library Bill of Rights | A7-1 |
| Appendix 8: Freedom to Read Statement | A8-1 |
| Appendix 9: Freedom to View Statement | A9-1 |
| Appendix 10: Confidentiality of Library Records | A10-1 |
| Appendix 11: U.S.A. Patriot Act | A11-1 |
| Appendix 12: Internet Use Policies | A12-1 |
| Appendix 13: Children's Internet Protection Act (CIPA) | A13-1 |
| Appendix 14: APLS Legal Establishment and Powers | A14-1 |
| Appendix 15: State Aid Rules | A15-1 |
APPENDIX 1


TITLE 11 – COUNTIES AND MUNICIPAL CORPORATIONS
CHAPTER 90 – FREE PUBLIC LIBRARIES

§11-90-1. Powers of counties and municipalities as to establishment and maintenance of free public libraries generally.

The county commissions of the counties of this state and municipalities, through their governing bodies, may establish and maintain or aid in establishing and maintaining free public libraries for the use of the citizens of the respective counties or municipalities, either separately or in connection with public schools, and to that end may accept gifts, donations, and bequests of land, buildings or money therefore and may make appropriations from the county or municipal treasury in support thereof in such sums as they may deem proper.

§11-90-2. Library boards – Composition; appointment and terms of members; vacancies in office.

The government and supervision of such libraries shall be vested in a library board consisting of five members who shall be appointed by the county commission or the governing body of the municipality. The terms of membership on the library board, as first appointed, for one member shall be for one year, for the second member shall be for two years, for the third member shall be for three years, and for the remaining two members the terms shall be for four years. After the first term, all appointments shall be for four years. The county commission or governing body shall fill all vacancies including expired and unexpired terms. Members of the library board shall serve without compensation.


(a) The library board shall have full power and authority to:

(1) Control the expenditure of all funds received or appropriated for such libraries;

(2) Erect or rent buildings to cost not in excess of the funds available to it;

(3) Purchase books and equipment;
(4) Provide a system of library service to be made easily available to all citizens of the county or municipality through central library, branches, stations, book truck service, or other appropriate means;

(5) Elect a librarian and other employees; and

(6) Manage and control the said library in order to carry out the full intent and purpose of this chapter.

(b) A careful and complete record and set of books shall be kept by the library board, showing the proceedings of their several meetings and the receipts and disbursements in detail of all funds.

(c) In counties where a city having a population of not less than 65,000 already maintains a free public library, a separate county library board need not be appointed, and the county libraries and the appropriations authorized shall be administered by the governing board of such free public library on such terms as may be agreed upon between the county commission and the said governing board.


§11-90-4. Establishment and maintenance of joint library service.
In lieu of establishing or maintaining free public libraries exclusively for a single county or municipality in the manner provided in this chapter, the library board of any county or municipality free public library may contract, in behalf of the political unit represented by such local library board, to and with the library board of another political unit or governmental agency or instrumentality with respect to the establishment or maintenance of joint library service upon such terms as may be agreed upon by the several contracting parties. Where there is no existing public library, the power thus to contract shall vest in the county commission of the county or the governing body of the municipality. Included in the power conferred is the determination of the basis and personnel of representation of the local political units on the joint library board administering the joint library service established under this section. Such board, when appointed, shall have the powers and duties granted by this chapter to county or municipal library boards. County and municipal library boards or joint library boards shall have the power to cooperate with all state and federal agencies and institutions in furtherance of the purpose of this chapter, and all municipal, county and joint library boards shall from time to time submit such records and reports as may be required by the public library service; provided, that nothing in this section shall be so construed as to infringe upon any municipal charter provisions governing the administration of existing free public libraries.

APPENDIX 2

Alabama Open Meetings Act

ALABAMA OPEN MEETINGS ACT
Title 36, Chapter 25A, Code of Alabama 1975

Section 36-25A-1 of the Open Meetings Act sets forth the general rule for open meetings:

The deliberative process of governmental bodies shall be open to the public during meetings as defined in Section 36-25A-2(6). Except for executive sessions permitted in Section 36-25A-7(a) or as otherwise expressly provided by other federal or state laws or statutes, all meetings of a governmental body shall be open to the public and no meetings of a governmental body may be held without providing notice pursuant to the requirements of Section 36-25A-3.

Important aspects of the Open Meetings Act (OMA) include:

1. The definition of a "governmental body" includes boards of instrumentalities whose members are appointed by counties or municipalities (this includes public library boards). The term also includes all standing, special, or advisory committees or subcommittees of, or appointed by, a board.

2. All meetings in which governmental bodies meet to deliberate must be open to the public.

3. Under the OMA, the only exception to an open meeting is an "executive session":
   
   (a) Executive sessions must be noted in the public meeting and can only be entered into for a limited number of statutorily defined reasons.
   
   (b) Some pre-existing laws require otherwise "open meetings" to be discussed in private (for example, laws that forbid the disclosure of statutorily privileged information).
   
   (c) Executive sessions are never required by the OMA, although they should—if not must—be called for in the situations discussed above in subsection (b).

3. No meeting—not even an emergency meeting—can be held under the OMA without the proper notice. Generally, the notice requirement for regular meetings is seven days. Specific questions about the form of notice and notice required for special and emergency meetings should be answered by an attorney.

Questions regarding the application of the Open Meetings Act should be referred to local legal counsel or the Attorney General's Office (https://ago.alabama.gov/)
APPENDIX 3
Hiring the Library Director

One of the most important functions of a board of trustees is the hiring of a competent library director. It may, in fact, be the most important single act undertaken by the board. Not only does it directly affect the future of the library, it also forces the board to step back and look at itself and the library. This informal evaluation process can result in new perspectives regarding the library’s role in the community. Trustees should be aware of current practices in the profession, the current needs and direction of the library, and competitive professional salaries and benefits.

What Do Public Library Directors Do?

Before hiring a library director, the entire board should have a good grasp of what a public library director does. The library director is the department head of a city service whose responsibilities include:

- Acts as professional/technical advisor to the library board of trustees on policy, finances, planning, library performance, and laws affecting libraries
- Hires and supervises personnel
- Implements board policy and interprets library policy for the public
- Administers the library budget
- Develops the library collection (“collection” is everything the library has on hand for its customers: books, DVDs, CDs, magazines, newspapers, subscriptions to electronic resources, and more)
- Manages library services and programs
- Directs and provides outreach services to the community
- Manages and maintains the library facility/building, computer technology, the library’s automation system, and other library equipment
- Represents the library in the community and promotes the library and its services
- Teaches the community how to access, evaluate, and use information resources

As you can see by the list of responsibilities, hiring a library director is one of the most important duties of the library board.

In small cities with few or no other library staff, the library director serves customers directly and may also:

- Provide pre-school story time to build early literacy skills in young children
- Help students find resources to complete school assignments
- Help readers find a good book
- Find answers to questions from customers
- And yes, check out books
To ensure that the most qualified candidate is hired, it is critical that the library board follow standard hiring procedures as outlined below.

Preliminary Assessment

The board must reach consensus on what they want a new director to accomplish and what qualifications are needed in a director for the library at this point in time. They should also consider what the library has to offer the director. Offer the best salary possible to secure the services of a qualified person. Consider any added incentives or challenges offered by the job opportunity.

In order to do this, the board needs to discuss the following questions:

- What is the role of the library in the community?
- Have community needs changed? Has the library kept pace?
- What direction does the library need to go?
- What qualifications are needed in the next director?
- What is the reason for the job opening?
- Was the previous director dissatisfied? Why?
- Was the board dissatisfied with the previous director? Why?

Develop a Time Line

A time line should be established which would include:

- appointment of the search committee
- review of the job description and writing the job announcement
- date that the job announcement will appear on websites and/or in newspapers, journals
- deadline for applications
- time to review applications and decide on persons to interview
- when to interview
- time for the board to make a decision and offer the job to the candidate
- time for the candidate to respond
- anticipated starting date for the new director

Search Committee

The board can function as the search committee. An alternative is to form a committee of board members, staff and community members to review the applications and recommend candidates for the board to interview. If a search committee is appointed, be
sure the duties of the committee and the deadlines are clear. Keep in mind the requirements of the Alabama Open Meetings Law: a board meeting is defined as a gathering of a quorum of the members of the body. If the number of board members on the committee is a quorum then the board must comply with the conditions of the law. If there are any questions about the law, the library administration should seek guidance from their legal counsel.

**Job Description**

The job description should indicate the minimum requirements for education and work experience. The job description should also include any desirable areas of expertise and work experience. All minimum requirements and desirable qualifications must be job related. The board should not hire a person with less than the minimum requirements.

Obtain a copy of the current job description from the current library director, the acting director or the city. If no written job description exists, the board will need to write one before continuing with the hiring process. Review it to ensure that it meets current requirements including:

- areas of responsibility
- specific duties
- minimum requirements for education and work experience
- desirable areas of expertise and work experience
- salary and benefits
- whether there is a period of probation
- expectations for successful job performance
- physical / environmental requirements of the job
- certification requirements

**Salary**

The first step in achieving pay commensurate with the work performed, referred to as “pay equity”, is to understand the job duties and responsibilities. It will help to re-read the previous section, "What Do Public Library Directors Do?"

A caution: library boards and directors often ask about salaries of directors of nearby libraries of like size. While that can be useful information it should not be the sole basis for decisions on salary for the library director. Because low pay is a common concern among libraries, comparing to other libraries' salary schedules is often comparing to equally low salaries that don’t adequately compensate for the work performed.
Advertising the Position

The job description should be used to write the job announcement. The job announcement should be as comprehensive as possible. Provide a description of the position, required education and experience, and desirable areas of expertise and work experience. Include the salary range and benefits, a brief description of the library and community, where to send applications, and application deadline. Request a resume and professional references.

Many cities have policies regarding what types of advertising must be done, and they may also have a budget for it. If your city has a Human Resources department, check with the department before placing ads.

The job opening should be publicized widely. The announcement may be posted at no cost on the website of the Alabama Library Association at: https://www.allanet.org/jobposting#.

If the library board is considering hiring a director with a master’s degree in Library Science, notify library schools. The American Library Association as an online fee-based job-listing service called "ALA JobList" at https://joblist.ala.org.

Reviewing Applicants

As applications arrive, each should be marked with the date of arrival to determine whether it falls within the deadline. Applications should also be acknowledged (such as via e-mail) by the search committee. Before applications are reviewed, criteria should be developed and used to rank them. It is helpful if a form is developed to screen and compare each applicant’s qualifications to the requirements of the position. Some qualifications to consider are:

- education
- public library experience
- management or supervisory experience

Candidates who satisfy the requirements for the position become part of an official pool of applicants for further consideration. The search committee should be able to agree on three to five candidates to be called for interviews. A phone interview with preliminary candidates may be helpful to determine final interviewees.

Information for candidates who will be interviewed

Prior to the interviews, provide candidates with the library mission statement; planning document; budgets for the last several years; size and description of community; information about employers, shopping, schools, churches, recreation, higher education, and any other information that will inform candidates about the library and community.
Interview

The search committee should conduct the interviews. Designate one person to handle the planning and scheduling of the interviews. Identify what expenses will be paid or reimbursed for each candidate.

Develop a list of questions to be asked of every candidate interviewed. Topics to cover in the interview include management and fiscal philosophy, intellectual freedom, technology, trends, the library’s role in the community. It is illegal to ask certain questions of candidates, such as marital status, age, family plans, etc. If your community has a Human Resource employee, it is helpful to include them in the process.

As part of the interview, arrange a tour of the library, a meeting with staff, and an opportunity for the candidate to learn about the community.

Evaluating candidates who were interviewed

Use an evaluation form to record candidate responses and board member impressions.

Once all of the finalists have been interviewed, the search committee should discuss and rank the finalists. Some qualifications to consider in ranking candidates are:

- attitude of service to the community and enthusiasm for librarianship
- philosophy of library service attuned with that of the library’s mission statement
- ability to explain how his or her experience and talent can be used as library director
- understanding of the role of trustees
- successful record of working with board and community leaders, and supervising staff
- willingness to become involved in the community and ability to be comfortable in relations with the public
- knowledge of basic principles such as intellectual freedom
- a reasonable grasp of the library’s situation, budget, and plans based on information supplied to the candidate in advance
- commitment to continuing education for the director and staff

Check references before offering the position to a candidate. When calling references, agreed-upon questions should be asked with space on the form for search committee members to write down responses. A search committee may want to seek out references other than those listed. Be aware, some employers will only verify such things as dates of employment and last salary earned.
Hiring Decision

Finally, decide if one or more of the candidates should be offered the job or if the search is to be reopened. The top candidate should be offered the position by telephone. When a candidate accepts the position, follow up with a letter of agreement indicating date employment begins, salary, benefits, etc. Notify other candidates that they have not been selected immediately after the job offer has been accepted.

After the New Director Arrives

Orient the new director and assist him/her with relocation. Provide help with school and housing information and additional information on the library and community.

Welcome the new director. News releases and photographic coverage should be arranged. Personal introductions to staff members, trustees, community representatives, and local government officials should be scheduled promptly. An open house or reception hosted by the board and assisted by other groups such as the Friends of the Library, is a standard courtesy.

APPENDIX 4
Evaluating the Library Director

Just as the library director regularly evaluates the staff, it is the responsibility of the board to regularly evaluate the library director. Trustees evaluate the director all the time—by what they see in the library, what they hear from the public and what they perceive as the library’s reputation in the community. But that informal consideration does not take the place of a formal review of the director’s performance. The best way to evaluate and monitor director effectiveness is by providing a good job description for the director and then doing a formal, annual evaluation to determine how well the director is meeting the job description and accomplishing library goals.

An annual evaluation:

- provides the director with a clear understanding of the board’s expectations
- ensures the director is aware of how well the expectations are being met
- serves as a formal vehicle of communication between the board and director
- identifies the board’s actual concerns so that appropriate action can be taken
- creates an opportunity to review and acknowledge the director’s accomplishments
- documents annual accomplishments of the library
- demonstrates sound management practices and accountability to municipal officials and the community.

The format and procedure for director evaluation must be worked out by each board, but it is important for each board member to understand what is appropriate and inappropriate for the evaluation. The method used should be agreed upon by the board and director at the beginning of the evaluation period so it is clear to both the board and director what the basis for the evaluation will be.

Acknowledge and reward good performance; work with the director to correct inadequate areas of performance. If problems arise with the director’s performance during the year, the board should discuss these problems with the director at that time, along with possible solutions. At the time of the annual evaluation, there should be no surprises.

Make the evaluation a positive effort to communicate better with the director. A written evaluation allows the board and the director a system to communicate about how to make the library better. Look as much for what the director does well as for areas that need improvement. Then, the cycle starts again by deciding the basis of the evaluation for the coming year’s performance.

Evaluation Criteria

Your community, the library, and the board’s priorities will determine what factors to consider when evaluating the performance of the director. The following list gives you some points to consider.
Preparing and managing the budget

- Is the preparation work completed in a timely manner for the Board?
- Does the budget cover all necessary expenses?
- Are funds allocated or reserved for unanticipated contingencies?
- Are the funds allocated effectively?
- Are major corrections to the budget during the fiscal year avoided?

Managing the staff

- Are positive management/staff relations maintained?
- Are fair and equitable policies proposed for Board adoption and then fairly administered?
- Have grievances been filed? If so, what is their nature?

Keeping current

- Are innovations in service delivery and technology studied thoroughly and implemented if they fit the needs of the library and are proven to be cost effective?
- Does the director maintain current knowledge of best library practice?
- Is the staff encouraged and assisted in learning about best library practice?

Collection management

- How adequately does the library identify needs and interests in the community and translate these into the library’s collection and services?
- Have priorities been established to enable the library to respond to a potential budget cut?

Implementation of board decisions

- Are board decisions implemented on a timely basis?
- Once board decisions have been made, does the director support and not undermine them?

Use of the library

- How effectively are the current and new services of the library communicated to the public?
- Are circulation trends, program attendance, reference questions, Internet use and other uses of the library analyzed with appropriate action taken?

Staff selection

- Is the selection process designed to ensure that the best person is hired?
• Is the selection process consistent with legal requirements?

Development of staff
• Does staff receive training adequate to perform their jobs?
• Is staff encouraged to develop career goals and/or goals for learning new skills?
• Does the director promote staff development and support it with funding?

Use of staff
• Have peak service hours been identified and staff assigned accordingly?
• Are staff functions analyzed periodically with the objective of combining or eliminating tasks or creating new assignments?
• Are staff workloads equitable?
• Are job descriptions current?
• Does the director conduct regular performance evaluations?

Planning
• Does the library have a current plan and does the plan reflect board priorities?
• Is the plan updated to reflect changing circumstances?
• Are the director’s activities and accomplishments consistent with the plan?
• Is the plan flexible enough to allow for changing circumstances?
• Does the director provide enough information to the board about implementing the plan?

Miscellaneous rating factors
• Are “hard decisions” made and implemented or are they deferred or ignored?
• Does the director display initiative?
• Does the director make decisions objectively or do personal biases intrude?
• Is the director open with the board about both accomplishments and problems?
• Does the director set an example for other staff through professional conduct, high principles, good work habits, etc.?

As stated earlier, the format and procedure for director evaluation must be worked out by each board and should be agreed upon by the board and director at the beginning of the evaluation period.

**Dismissing the Library Director**

Probably the most painful situation a public library board can face is the dismissal of the library director. Boards that hire carefully, communicate well, nurture positive working relationships, and evaluate effectively should not have to experience this unpleasant task.
When all potential solutions have been tried and the problems still cannot be resolved, dismissal is a last resort.

Directors are usually dismissed only after serious infractions of board policy, violation of the law, or very poor performance coupled with unwillingness or inability to improve. It is important that reasons for dismissal are carefully documented. The board has a responsibility to ensure that personalities and biases are not factors in any dismissal decision. The dismissal and/or appeals procedure should be described explicitly in board policy and allow the director a full hearing to discuss specific charges. A board should not begin a dismissal process unless it understands the implications, has consulted with the appropriate local government officials, believes its position is defensible, and has obtained appropriate legal advice from an attorney. Working with the community’s HR staff is very helpful in this process to ensure all procedures are followed correctly.

The following factors should be considered prior to making a final decision to dismiss a library director:

- Was there notice given to the employee?
- Was the reason for termination reasonably related to library employment?
- Was there an investigation and documentation?
- Was the investigation fair and objective?
- Was there proof of a violation?
- Is there equal treatment of other library employees in similar situations?
- Is termination of the library director an appropriate disciplinary action? Even if the library director has done something wrong, has been given notice, and has not ceased the activity, is termination too harsh a penalty? Or would some other consequence be more reasonable?

As a reminder, Alabama library directors are subject to at will dismissals, and the board can terminate the director for any reason.

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APPENDIX 5
Sample Long-Range Plan 1
*Rutherford County Library System Strategic Plan 2015-2018. Reproduced with permission of the Rutherford County Library System, serving Murfreesboro Tennessee*

Library Service Responses:
- Connect to the Online World: Public Internet Access
- Create Young Readers: Early Literacy
- Satisfy Curiosity: Lifelong Learning
- Stimulate Imagination: Reading, Viewing and Listening for Pleasure
- Visit a Comfortable Place: Physical and Virtual Spaces

Goals & Objectives:

**Goal 1: Everyone will have attractive and welcoming places to meet and interact with others or work independently on personal projects.**

1.1. Each year, at least 45% of the people in the library service area will be registered library patrons.

1.2. Each year, at least 90% of users will indicate that the library is a welcoming and comfortable place.

1.3. By FY 2017/18, the number of hits on the library’s web site will increase from 238,827 (FY 13/14) to 300,000.

1.4. Each year, at least 90% of web site users will rate the library’s web site as informative and easy to use.

**Goal 2: Everyone will have free high-speed access to the resources and services available through the Internet.**

2.1. Each year, at least 26,250 people will connect to the Internet via the library’s wireless network.

2.2. Each year, at least 90% of library users will indicate the library’s online staff support is very good or excellent.

2.3. Each year, 90% of library users will indicate that the library’s bandwidth is very good or excellent.

**Goal 3: Preschool children will have programs, services, and materials designed to help them develop a lifelong love of books and reading.**

3.1. By FY 2017/18, the turnover rate of preschool materials (picture books, easy readers, board books, etc.) will increase from 12.41 (FY 2013/14) to 14 (NOTE: currently reclassifying many materials as “preschool”, so current turnover rate will need to be recalculated once that is complete).

3.2. By FY 2017/18, the number of children who participate in story programs presented in the library will increase from 8,939 (FY 2013/14) to 10,000.
3.3. By FY 2017/18, the number of children who participate in story programs presented by library staff in non-library locations will increase from 2,676 (FY 2013/14) to 5,500.

3.4. Each year, at least 90% of parents and caregivers will say the library services for their children are very good or excellent.

Goal 4: Children will have programs and materials that stimulate their imaginations.

4.1. By FY 2017/18, the turnover rate of juvenile fiction and audiovisual materials will increase from 9.8 (FY 2013/14) to 11. *(NOTE: we are currently counting juvenile nonfiction and media together at a rate of 2.27)*

4.2. Each year, the turnover rate of juvenile non-fiction items will increase from 2.27 (FY2013/14) to 3. *(NOTE: we are currently counting juvenile nonfiction and media together at a rate of 2.27)*

4.3. Each year, at least 8,200 children will attend a library sponsored or co-sponsored program.

4.4 By FY 2017/18, the number of children who complete at least 50% of the Summer Reading Program requirements will increase from 2,480 (FY 2013/14) to 3,500.

Goal 5: Teens and adults will have the skills and resources they need to explore topics of personal interest.

5.1. Each year, the turnover rate of adult print nonfiction items will increase from 1.38 (FY2013/14) to 2.5.

5.2. Each year, users exploring topics of personal interest will search the library databases at least 150,000 times.

5.3. Each year, at least 90% of teens and adults will indicate library staff members were helpful in finding information or materials to explore a topic of personal interest.

5.4. Each year, 90% of teens and adults who use the library to explore topics of personal interest will say that the library provides enough materials (print and electronic) and other resources to meet their needs.

Goal 6: Teens and adults will enjoy timely access to popular materials in current and emerging formats.

6.1. By 2017/18, the turnover rate of teen and adult fiction will increase from 2.5 (FY2013/14) to 4.

6.2. By 2017/18, the turnover rate of adult media (DVDs, audio-books, and music CDs) will increase from 9.55 (FY 2013/14) to 11.

6.3. By 2017/18, the turnover rate of adult e-content (e-books, downloadable media, etc.) will increase from 4.66 (FY 2013/14) to 6.

6.4. Each year, 90% of teens and adults will say that they receive the materials they put on hold in a timely manner.

6.5. Each year, 90% of teens and adults will indicate that library staff members were helpful in finding something good to read, listen to, or view at the library.
Figure 3-3: Survey questions for the Sample Plan (reproduced with permission of the Rutherford County Library System)

Several of the objectives in the plan of the Rutherford County Library System require the measurement of user perceptions. On its website the library periodically asks library users to complete short surveys utilizing Survey Monkey and Google Forms. Paper surveys are also made available at each branch. In addition, the library puts messages on its Facebook page to encourage people to fill out the surveys. Below are the objectives requiring surveys and some of the related survey questions used. Note that the objectives have been written with the assumption that there will be a sampling of users; not all users are surveyed. In the objectives below, the APLS editor has inserted [surveyed] for clarification.

Objective 1.2: Each year, at least 90% of users [surveyed] will indicate that the library is a welcoming and comfortable place.

Survey regarding facilities
At LPLS, we want to make all our libraries welcoming and comfortable. Help us to see how we’re doing by answering this short survey.

1. Is your branch a welcoming and comfortable space?
   o Yes
   o No

2. If you answered “No”, please share why.

3. Share any other thoughts or suggestions about facilities.

Objective 1.4: Each year, at least 90% of website users [surveyed] will rate the library’s website as informative and easy to use.

Survey regarding the website
Please help us by answering this short survey about the Linebaugh Public Library System website. Thank you!

1. Do you find the LPLS website helpful and information?
   o Yes
   o No

2. Is the website easy to use?
   o Yes
   o No

3. Please add any other comments you’d like us to know about the website.
Objective 2.2: Each year, at least 90% of library users [surveyed] will indicate the library’s online staff support is very good or excellent.

Objective 2.3: Each year, 90% of library users [surveyed] will indicate that the library’s bandwidth is very good or excellent.

**Survey regarding online service**

Please help us by answering this short survey about the Linebaugh Public Library System website. Thank you!

1. Have you used the public computers or WiFi at your branch?
   - Yes
   - No

2. How would you rate the speed of your connection?

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3. Have you ever asked for help with computer or WiFi service?
   - Yes
   - No

4. How would you rate the quality of the IT/Computer staff support?

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   | Poor | | | | Excellent

5. Please add any other comments about our internet or online services.

Objective 3.4: Each year, at least 90% of parents and caregivers [surveyed] will say the library services for their children and very good or excellent.

**Survey regarding Story Time**

Thank you for participating in our Story Time. We hope you and your child had as much fun attending the event as we’ve had performing it.

Please fill out this short survey to help us in our continuing efforts to offer relevant and fun activities for the community.

Your answers will be completely anonymous.

1. How satisfied were you overall with Story Time?

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   | Not at all satisfied | | | | Very satisfied
2. How valuable do you think the Story Time activities were for your child?  

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<th>3</th>
<th>4</th>
<th>5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not at all valuable</td>
<td>o</td>
<td>o</td>
<td>o</td>
<td>o</td>
<td>o</td>
</tr>
</tbody>
</table>

3. How likely are you to attend another Story Time at the Linebaugh Public Library System?  

<table>
<thead>
<tr>
<th></th>
<th>1</th>
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<th>3</th>
<th>4</th>
<th>5</th>
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<tbody>
<tr>
<td>Not likely at all</td>
<td>o</td>
<td>o</td>
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</tr>
</tbody>
</table>

Objective 5.3: Each year, at least 90% of teens and adults [surveyed] will indicate library staff members were helpful in finding information or materials to explore a topic of personal interest.

When you are looking for a particular item of interest, has the staff at your local branch been helpful?

___ Yes  
___ No  
___ Have never needed help from staff

Objective 5.4: Each year, 90% of teens and adults who use the library to explore topics of personal interest [surveyed] will say that the library provides enough materials (print and electronic) and other resources to meet their needs.

The Rutherford County Library System provides enough materials (print and electronic) to meet my interests and needs.

___ Yes  
___ No

Objective 6.4: Each year, 90% of teens and adults [surveyed] will say that they receive the materials they put on hold in a timely manner.

When you put an item on hold, do you receive it in a timely manner?

___ Yes  
___ No  
___ Sometimes  
___ I do not put materials on hold
Objective 6.5: Each year, 90% of teens and adults [surveyed] will indicate that library staff members were helpful in finding something good to read, listen to, or view at the library.

When you are looking for something to read, listen to, or view, were staff helpful in making a selection?

___ Yes
___ No
___ I’ve never asked staff for help
Figure 3-4: Portion of a report of survey results related to the objectives of the Sample Plan (reproduced with permission of the Rutherford County Library System)

<table>
<thead>
<tr>
<th>Objective #</th>
<th>Objective Description</th>
<th>Results 2016</th>
<th>Results 2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.2</td>
<td>Each year at least 90% of users will indicate that the library is a welcoming and comfortable place.</td>
<td>Out of 69 responses, 87% voted Yes, 13% No</td>
<td>Out of 76 responses, 93% voted Yes, 7% No</td>
</tr>
<tr>
<td>1.4</td>
<td>Each year at least 90% of website users will rate the library’s web site as informative and easy to use.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Do you find the LPLS website helpful and informative?</td>
<td>83% voted Yes, 17% voted No</td>
<td>Out of 43 respondents, 60% Y, 40% N</td>
</tr>
<tr>
<td></td>
<td>Is the website easy to use?</td>
<td>73% Y, 27% N</td>
<td>30% Y, 70% N</td>
</tr>
<tr>
<td>2.3</td>
<td>Each year 90% of library users will indicate that the library’s bandwidth is very good or excellent.</td>
<td>Out of 7 respondents, 14% rated the bandwidth as very good or excellent; 85% rated it good or n/a</td>
<td></td>
</tr>
<tr>
<td>3.4</td>
<td>Each year at least 90% of parents and caregivers will say the library services for their children are very good or excellent.</td>
<td>Out of 141 responses, 97.1% said our services were very good or excellent</td>
<td>Out of 84 responses, 97% said our services were very good or excellent</td>
</tr>
<tr>
<td>5.3</td>
<td>Each year at least 90% of teens and adults will indicate library staff members were helpful in finding information or materials to explore a topic of personal interest.</td>
<td>Out of 127 respondents, 85% voted Yes, 4% voted No, 11% did not need help</td>
<td>Out of 30 respondents, 99% Y, 0% N, 1% never asked for help</td>
</tr>
<tr>
<td>5.4</td>
<td>Each year 90% of teens and adults who use the library to explore topics of personal interest will say that the library provides enough materials (print and electronic) and other resources to meet their needs.</td>
<td>Out of 127 respondents, 82% voted Yes, 17% voted No</td>
<td>Out of 30 respondents, 100% Y</td>
</tr>
<tr>
<td>6.4</td>
<td>Each year 90% of teens and adults will say that they receive the materials they put on hold in a timely manner.</td>
<td>Out of 42 responses, 79% voted Yes, 7% No, 7% Sometimes, 7% Never asked for help</td>
<td>Out of 49 responses, 67% voted Yes, 2% No, 30% Sometimes</td>
</tr>
<tr>
<td>6.5</td>
<td>Each year 90% of teens and adults will indicate that library staff members were helpful in finding something good to read, listen to, or view at the library.</td>
<td>Out of 42 responses, 79% voted Yes, 19% said they never needed help</td>
<td>Out of 44 responses, 65% voted Yes, 11% No, 31% Never needed help</td>
</tr>
</tbody>
</table>
APPENDIX 6
Sample Long-Range Plan 2

SAMPLE PUBLIC LIBRARY
Five Year Plan for
Library Services Development
2016-2020

Approved and Adopted by the
Sample Public Library Board of Trustees
February 25, 2016
INTRODUCTION

As a center for reliable information for the community, the library acquires materials for the purpose of encouraging citizens to continuously educate themselves. A special effort is made to provide materials on or access to all subjects likely to be of concern or interest either to present or potential library users of whatever age or education. All requests for information are treated with respect, and an attempt is made to secure that information either in the library's own collection, by use of interlibrary loan, or through technology.

The library tries to fulfill the individual's need for recreation by making materials available which will develop and enrich. It continually attempts to provide resources to stimulate new interests and to equip the individual to pursue those interests.

Many have little knowledge of technology, but are curious about it, needing guidance in using technology. It is the vision of the library to provide the opportunity for individual growth to the best of its ability within staff, budget, and building considerations. Technology will be integrated into the library program as an essential partner with the other library holdings.

The library will continue to purchase books and other materials at the same rate. Reductions in print purchases could occur in the area of reference works when replacement by Internet reference sources is appropriate.

In working with children, the library intends to extend, cultivate, and encourage the pursuit of education and to promote voluntary, individual enjoyment of reading through the use of library resources. The library is a center to be used by all segments of the community.

MISSION STATEMENT

It is the mission of the Sample Public Library to serve all the citizens of Sample and the surrounding communities by offering services, resources, and facilities to fulfill their informational, educational, and recreational needs and interests. The term "citizen" encompasses individuals and groups of every age, education, philosophy, occupation, economic level, ethnic origin, and human condition.

COLLECTION DEVELOPMENT

GOAL I: To provide library users with the highest quality public library collections and services within the budget of the library.

Objective 1.1: Improve the collections of adult and youth materials.
   Task 1.1.1 Review and refine the Collection Development Policy yearly (Ongoing)
Task 1.1.2 Determine and implement a consistent method of ensuring the collection remains relevant and timely to meet the needs of our patrons (Ongoing)

Task 1.1.3 Maintain and expand a viable foreign language collection in order to reach underserved populations (2016-2020)

Task 1.1.4 Increase the size of the audio book and music collection by 2% per year (2016-2020)

Task 1.1.5 Continue to build our DVD collection (Ongoing)

Task 1.1.6 Seek state and national grant opportunities for collection enhancement (Ongoing)

Task 1.1.7 Continue to build our large print collection of books (Ongoing)

Task 1.1.8 Increase the size of our Accelerated Reader collection for students by 30% (Ongoing)

Task 1.1.9 Increase our genealogical collection (2016-2020)

Task 1.1.10 Weed 3% of the collection annually (2016-2020)

Task 1.1.11 Provide for the purchase of microfilm and microfiche materials such as local newspapers and U.S. Census records for Alabama (2016-2020)

Task 1.1.12 Provide for the purchase of e-books and other popular electronic materials (2016-2020)

Task 1.1.13 Continue to borrow and loan materials through the electronic statewide Interlibrary Loan Service (Ongoing)

Goal 1 Evaluation:

- Number of patrons who indicate on a survey that they were able to find library resources to read, view, or listen to for pleasure.

- Number of patrons who stated they read a book by a new author or on a new topic for the first time.

- Number of patrons who stated they were able to find resources on a topic they were interested in or studying.

- Increase in circulation
PROGRAMS AND OUTREACH

GOAL 2 To increase the visibility and involvement of the library in the community through community activities.

Objective 2.1 To provide appropriate library programs and services to the community that reflect the library’s interests in the community’s well-being.

Task 2.1.1 Support and participate in appropriate community activities (Ongoing)

Task 2.1.2 Continue a weekly pre-school reading program (Ongoing)

Task 2.1.3 Continue to provide high quality children’s programs during school breaks and the summer (Ongoing)

Task 2.1.4 Have a movie and refreshments for the Seniors from the Senior Center once a month at the library, and while they are here they can register for a library card and check out materials. (2016)

Task 2.1.5 Provide computer classes for senior citizens on a weekly basis (2016)

Task 2.1.6 Establish, when resources permit, a Teen Council to advise the library on collection development, program planning, and general development of a special teen room (2017)

Task 2.1.7 Provide, as soon as library technology staffing allow, regularly scheduled Internet, online catalog, and database classes for the public (2017)

Task 2.1.8 Encourage collaborative efforts to provide family programs (2016-2020)

Task 2.1.9 Monitor testing for adults and students following adopted test proctoring policies (Ongoing)

Task 2.1.10 Work with the Sample Public Library Foundation to help with raising funds for educational programs and charities. (Ongoing)

Goal 2 Evaluation:

- Number of children and teens in the community that attend programs in the library
- Number of adults that attend a program in the library
- Number of services that the library provides outside of the library building
- Increase in library card registrations
TECHNOLOGY

GOAL 3 To incorporate the use of new technologies to support the mission and goals of the library and to provide fast and efficient delivery of library services to our patrons and staff.

Objective 3.1 Maintain and purchase hardware and software within the budget of the library, which will provide the best levels of services for the staff and patrons.

   Task 3.1.1 Maintain and publicize a comprehensive library web site which will also provide access to the library's holdings (OPAC) via the Internet (Ongoing)

   Task 3.1.2 Maintain an updated, approved technology plan and file it with the Alabama Public Library Service (Ongoing)

   Task 3.1.3 Annually review hardware and software for upgrading and updating to meet additional needs (2016-2020)

   Task 3.1.4 Provide wireless Internet access (Ongoing)

   Task 3.1.5 Maintain a new, web-based automation system for the library that will be more efficient for our staff and patrons. (Ongoing)

   Task 3.1.6 Exploit the Alabama Virtual Library by participating in all statewide initiatives for supporting funding, training, and publicity (2016-2020)

   Task 3.1.7 Provide the means necessary to add subscriptions to other databases not provided by the Alabama Virtual Library and the Alabama Public Library Service (2016-2020)

Goal 3 Evaluation:

- Number and percent of Internet users who increase computer, Internet, and overall technology skills.

- Percentage of time the public access computers are in use or percentage of time that patrons are connected to WIFI via a personal device.

- Average wait time to access public access computers.

- Number of patrons who use public access computers each month or connect wirelessly through personal devices.
BOARD OF TRUSTEES

GOAL 4 Provide for the responsible use of public and private funds to deliver excellent library materials and services.

Objective 4.1 Maintain a Board of Trustees which is well informed, interested, enthusiastic, concerned, and able to provide high quality services and materials to the citizens of the Sample Public Library community.

Task 4.1.1 Keep Board Members informed of library issues, concerns, and needs (Ongoing)

Task 4.1.2 Offer orientation sessions for each new Board Member providing background information on library issues and providing them with a Trustee’s Handbook (2016-2020)

Task 4.1.3 Encourage involvement of all Board Members in the development of library policy and promotion (Ongoing)

Goal 4 Evaluation:

- Number of Board Members that are familiar with current library policies, city policies, ordinances, and the Alabama Public Library Service Trustee Handbook.

- Number of Board Members who meet as scheduled.

- Number of Board Members who get involved or participate in activities that relate to or affect outcomes concerning the library.
PUBLIC RELATIONS AND MARKETING

GOAL 5  Increase positive public attention for the Sample Public Library.

Objective 5.1  Use local sources and resources to focus attention on and improve library services and activities.

   Task 5.1.1  Regularly update a brochure to inform the public about the library (Ongoing)

   Task 5.1.2  Develop a quarterly newsletter (2016)

   Task 5.1.3  Expand the present level of media contacts by developing a systematic program of news releases, public service announcements, and TV news promotions (2016-2020)

   Task 5.1.5  Expand, as resources allow, communications with school teaching and guidance staffs to create an atmosphere of partnering and collaboration. This should include (but not be limited to) regular class orientation programs and the purchase of books on summer reading lists (2016-2020)

   Task 5.1.6  Increase visibility of the library as an active participant in community affairs and activities (2016-2020)

   Task 5.1.7  Encourage group visits and tours by non-library users (2016-2020)

   Task 5.1.8  Develop an overall marketing/promotion strategy for the library including professionally printed materials, regular published news, and funds for better programming (2016-2020)

   Task 5.1.9  Develop a "Volunteer Public Outreach Representative" to assist in the above process (2016)

   Task 5.1.10 Use social media such as Facebook and our web page to promote the library's resources and activities (Ongoing)

Goal 5 Evaluation:

- Number or percentage of newspaper articles, news media coverage, or social media exposure that mention our library.

- Number of flyers that have been handed out to schools and other people throughout our local area inside and outside of the library.
PERSONNEL

GOAL 6 Recruit and retain a staff capable of delivering the best possible service to the library users.

Objective 6.1 To provide a staff that is knowledgeable, well trained, helpful, friendly, hardworking, and flexible in order to maintain the quality of library services this community expects and deserves.

Task 6.1.1 Encourage and involve staff in decision making to improve services to library users (Ongoing)

Task 6.1.2 Secure volunteers to assist staff (2016-2020)

Task 6.1.3 Provide regular opportunities for all staff to attend meetings and training sessions for education, skills enhancement, and more general professional development (2016-2020)

Task 6.1.4 Initiate a systematic technology training program for library staff to ensure that they have the skills necessary to perform their job duties (2016-2020)

Task 6.1.5 Insist that the city government review library staff remuneration and, where needed, reclassify library employees so that they are compensated at a rate equal to that of other city employees with comparable levels of responsibility and experience (2016-2020)

Task 6.1.6 Advocate strongly to city government that staffing levels should be kept adequate to cover services currently being offered (2016-2020)

Task 6.1.7 Read and review the City's personnel policy every year (Ongoing)

Task 6.1.8 Perform a yearly job performance evaluation of staff (Ongoing)

Goal 6 Evaluation:

Percentage of library users surveyed respond that:

- The Library staff are friendly, helpful, and knowledgeable concerning technology, library resources, and library events.

- The information and/or assistance provided by library staff concerning library technology, library resources and/or general knowledge questions is either very good or excellent.
CAPITAL IMPROVEMENTS

GOAL 7 Provide an adequate facility to fulfill the needs and interests of the citizens of Sample and the surrounding communities.

Objective 7.1 Work with the City of Sample to expand our present facility.

Task 7.1.1 Work with the Board, Foundation, and City officials to develop a plan for expansion of our current facility. (2017)

Task 7.1.2 Work with the Staff, Board, and Foundation of the Library to seek funding from local, state, government, and private sectors to furnish expanded areas (2018-2020)

Task 7.1.3 Hold local fund raisers with the help of Staff, Board, Foundation, and Volunteers to help with funding for the above. (2018-2020)

Task 7.1.3 Obtain detailed designs and blueprints for expansion following input from community, city officials, staff, Foundation, and Trustees (2018)

Goal 7 Evaluation:

- Number of patrons that stated the library was a good place to work with and collaborate with others on a project
- Number of patrons that indicated on a survey that the library is a welcoming place that has space available to get lots of work done
- Number of people that were able to find clean spaces with access to power outlets and WI/FI
- Number of patrons that state the library offers them quiet and comfortable spaces to read and relax
PARTNERSHIPS

GOAL 8  Build partnerships to make a difference in people's lives.

Objective 8.1  Through partnering with businesses and organizations we will be identifying and publicizing to them our relevant services, programs and collections, and in return we will be benefitting from their services and resources.

   Task 8.1.1  Partner with area educational, civic, and social service organizations to understand their needs and facilitate their use of our resources. The library will serve as a convener, organizer and gathering place as needed to help them achieve their goals. (2016-2020)

   Task 8.1.2  Work with businesses and local economic development groups to offer practical, skill-building classes, career days, and other initiatives that advance the goals of both job seekers and employers and help attract new business to the area. (2016-2020)

   Task 8.1.3  Help organizations connect with "how to" ideas, practices and resources that could benefit them and the community. (2016-2020)

   Task 8.1.4  Deploy a systematic approach to partnering that best leverages library and partner resources (2016-2020)

   Task 8.1.5  Create alliances with governmental agencies and community groups to benefit area residents

   Task 8.1.6  Work with our newly formed Sample Public Library Foundation whose purpose is for charitable giving and educational programming. (Ongoing)

Goal 8 Evaluation:

- Number of people attending a program that addresses an issue or need raised by a local non-profit or local agency.

- Number of people benefiting from resources provided by the library that addresses a need or concern raised by a local non-profit or local agency.

- Number of patrons that state that library staff is knowledgeable about community agencies, organizations and local businesses
FUNDING DEVELOPMENT

GOAL 9 Expand funding sources and, where possible, reduce operating costs while maintaining excellent services.

Objective 9.1 Seek new public/private partnerships that bring financial advantage to the library

Task 9.1.1 Develop Annual Fund Drive goals, develop infrastructure for a Planned Giving Program (2016)

Task 9.1.2 Strengthen communication and coordination among Staff, Trustees and the Sample Public Library Foundation related to fundraising efforts. (2016)

Task 9.1.3 Submit at least three grant applications to local, state, and national organizations yearly (2016-2020)

Task 9.1.4 Encourage financial gifts (Ongoing)

Objective 9.2 Advocate for library support with state and local government bodies

Task 9.2.1 Seek private meetings with local legislators and other officials to discuss library funding needs. (2016-2020)

Task 9.2.2 Participate on local budget planning committees and communicate budget developments to Trustees, Staff, and Foundation. (Ongoing)

Task 9.2.3 Encourage advocacy within the library organization for support at all levels; Make every effort to maintain and increase State Aid funding (2016-2020)

Objective 9.3 Evaluate new ways and software to enable reduced operating costs, greater efficiency, new revenue streams, or more effective fundraising and sales

Task 9.3.1 Explore self-service options for circulation functions to free staff for other tasks (2017)

Task 9.3.2 Seek new ways to be environmentally conscious: save on paper, provide efficient electronics and lighting, etc. (Ongoing)

Goal 9 Evaluation:

- Amount of increase of overall library income
- Number of awarded grants
- Outcome of annual audit
APPENDIX 7
Library Bill of Rights

The American Library Association affirms that all libraries are forums for information and ideas, and that the following basic policies should guide their services.

I. Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation.

II. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.

III. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.

IV. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.

V. A person’s right to use a library should not be denied or abridged because of origin, age, background, or views.

VI. Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.

Adopted June 19, 1939.
Amended October 14, 1944; June 18, 1948; February 2, 1961; June 27, 1967; and January 23, 1980;
http://www.ala.org/advocacy/intfreedom/librarybill
APPENDIX 8
Freedom to Read Statement

The freedom to read is essential to our democracy. It is continuously under attack. Private groups and public authorities in various parts of the country are working to remove or limit access to reading materials, to censor content in schools, to label "controversial" views, to distribute lists of "objectionable" books or authors, and to purge libraries. These actions apparently rise from a view that our national tradition of free expression is no longer valid; that censorship and suppression are needed to counter threats to safety or national security, as well as to avoid the subversion of politics and the corruption of morals. We, as individuals devoted to reading and as librarians and publishers responsible for disseminating ideas, wish to assert the public interest in the preservation of the freedom to read.

Most attempts at suppression rest on a denial of the fundamental premise of democracy: that the ordinary individual, by exercising critical judgment, will select the good and reject the bad. We trust Americans to recognize propaganda and misinformation, and to make their own decisions about what they read and believe. We do not believe they are prepared to sacrifice their heritage of a free press in order to be "protected" against what others think may be bad for them. We believe they still favor free enterprise in ideas and expression.

These efforts at suppression are related to a larger pattern of pressures being brought against education, the press, art and images, films, broadcast media, and the Internet. The problem is not only one of actual censorship. The shadow of fear cast by these pressures leads, we suspect, to an even larger voluntary curtailment of expression by those who seek to avoid controversy or unwelcome scrutiny by government officials.

Such pressure toward conformity is perhaps natural to a time of accelerated change. And yet suppression is never more dangerous than in such a time of social tension. Freedom has given the United States the elasticity to endure strain. Freedom keeps open the path of novel and creative solutions, and enables change to come by choice. Every silencing of a heresy, every enforcement of an orthodoxy, diminishes the toughness and resilience of our society and leaves it the less able to deal with controversy and difference.

Now as always in our history, reading is among our greatest freedoms. The freedom to read and write is almost the only means for making generally available ideas or manners of expression that can initially command only a small audience. The written word is the natural medium for the new idea and the untired voice from which come the original contributions to social growth. It is essential to the extended discussion that serious thought requires, and to the accumulation of knowledge and ideas into organized collections.

We believe that free communication is essential to the preservation of a free society and a creative culture. We believe that these pressures toward conformity present the danger
The freedom to read is guaranteed by the Constitution. Those with faith in free people will stand firm on these constitutional guarantees of essential rights and will exercise the responsibilities that accompany these rights.

We therefore affirm these propositions:

1. *It is in the public interest for publishers and librarians to make available the widest diversity of views and expressions, including those that are unorthodox, unpopular, or considered dangerous by the majority.*

Creative thought is by definition new, and what is new is different. The bearer of every new thought is a rebel until that idea is refined and tested. Totalitarian systems attempt to maintain themselves in power by the ruthless suppression of any concept that challenges the established orthodoxy. The power of a democratic system to adapt to change is vastly strengthened by the freedom of its citizens to choose widely from among conflicting opinions offered freely to them. To stifle every nonconformist idea at birth would mark the end of the democratic process. Furthermore, only through the constant activity of weighing and selecting can the democratic mind attain the strength demanded by times like these. We need to know not only what we believe but why we believe it.

2. *Publishers, librarians, and booksellers do not need to endorse every idea or presentation they make available. It would conflict with the public interest for them to establish their own political, moral, or aesthetic views as a standard for determining what should be published or circulated.*

Publishers and librarians serve the educational process by helping to make available knowledge and ideas required for the growth of the mind and the increase of learning. They do not foster education by imposing as mentors the patterns of their own thought. The people should have the freedom to read and consider a broader range of ideas than those that may be held by any single librarian or publisher or government or church. It is wrong that what one can read should be confined to what another thinks proper.

3. *It is contrary to the public interest for publishers or librarians to bar access to writings on the basis of the personal history or political affiliations of the author.*
No art or literature can flourish if it is to be measured by the political views or private lives of its creators. No society of free people can flourish that draws up lists of writers to whom it will not listen, whatever they may have to say.

4. **There is no place in our society for efforts to coerce the taste of others, to confine adults to the reading matter deemed suitable for adolescents, or to inhibit the efforts of writers to achieve artistic expression.**

To some, much of modern expression is shocking. But is not much of life itself shocking? We cut off literature at the source if we prevent writers from dealing with the stuff of life. Parents and teachers have a responsibility to prepare the young to meet the diversity of experiences in life to which they will be exposed, as they have a responsibility to help them learn to think critically for themselves. These are affirmative responsibilities, not to be discharged simply by preventing them from reading works for which they are not yet prepared. In these matters values differ, and values cannot be legislated; nor can machinery be devised that will suit the demands of one group without limiting the freedom of others.

5. **It is not in the public interest to force a reader to accept the prejudgment of a label characterizing any expression or its author as subversive or dangerous.**

The ideal of labeling presupposes the existence of individuals or groups with wisdom to determine by authority what is good or bad for others. It presupposes that individuals must be directed in making up their minds about the ideas they examine. But Americans do not need others to do their thinking for them.

6. **It is the responsibility of publishers and librarians, as guardians of the people's freedom to read, to contest encroachments upon that freedom by individuals or groups seeking to impose their own standards or tastes upon the community at large; and by the government whenever it seeks to reduce or deny public access to public information.**

It is inevitable in the give and take of the democratic process that the political, the moral, or the aesthetic concepts of an individual or group will occasionally collide with those of another individual or group. In a free society individuals are free to determine for themselves what they wish to read, and each group is free to determine what it will recommend to its freely associated members. But no group has the right to take the law into its own hands, and to impose its own concept of politics or morality upon other members of a democratic society. Freedom is no freedom if it is accorded only to the accepted and the inoffensive. Further, democratic societies are more safe, free, and creative when the free flow of public information is not restricted by governmental prerogative or self-censorship.

7. **It is the responsibility of publishers and librarians to give full meaning to the freedom to read by providing books that enrich the quality and diversity of thought and expression. By the exercise of this affirmative responsibility, they can**
demonstrate that the answer to a "bad" book is a good one, the answer to a "bad" idea is a good one.

The freedom to read is of little consequence when the reader cannot obtain matter fit for that reader's purpose. What is needed is not only the absence of restraint, but the positive provision of opportunity for the people to read the best that has been thought and said. Books are the major channel by which the intellectual inheritance is handed down, and the principal means of its testing and growth. The defense of the freedom to read requires of all publishers and librarians the utmost of their faculties, and deserves of all Americans the fullest of their support.

We state these propositions neither lightly nor as easy generalizations. We here stake out a lofty claim for the value of the written word. We do so because we believe that it is possessed of enormous variety and usefulness, worthy of cherishing and keeping free. We realize that the application of these propositions may mean the dissemination of ideas and manners of expression that are repugnant to many persons. We do not state these propositions in the comfortable belief that what people read is unimportant. We believe rather that what people read is deeply important; that ideas can be dangerous; but that the suppression of ideas is fatal to a democratic society. Freedom itself is a dangerous way of life, but it is ours.

This statement was originally issued in May of 1953 by the Westchester Conference of the American Library Association and the American Book Publishers Council, which in 1970 consolidated with the American Educational Publishers Institute to become the Association of American Publishers.


A Joint Statement by:

American Library Association
Association of American Publishers

Subsequently endorsed by:

American Booksellers for Free Expression
The Association of American University Presses
The Children's Book Council
Freedom to Read Foundation
National Association of College Stores
National Coalition Against Censorship

A8- 4 Appendix 8: Freedom to Read Statement
National Council of Teachers of English
The Thomas Jefferson Center for the Protection of Free Expression

http://www.ala.org/advocacy/intfreedom/freedomreadstatement
APPENDIX 9
Freedom to View Statement

The FREEDOM TO VIEW, along with the freedom to speak, to hear, and to read, is protected by the First Amendment to the Constitution of the United States. In a free society, there is no place for censorship of any medium of expression. Therefore these principles are affirmed:

1. To provide the broadest access to film, video, and other audiovisual materials because they are a means for the communication of ideas. Liberty of circulation is essential to insure the constitutional guarantees of freedom of expression.

2. To protect the confidentiality of all individuals and institutions using film, video, and other audiovisual materials.

3. To provide film, video, and other audiovisual materials which represent a diversity of views and expression. Selection of a work does not constitute or imply agreement with or approval of the content.

4. To provide a diversity of viewpoints without the constraint of labeling or prejudging film, video, or other audiovisual materials on the basis of the moral, religious, or political beliefs of the producer or filmmaker or on the basis of controversial content.

5. To contest vigorously, by all lawful means, every encroachment upon the public's freedom to view.

This statement was originally drafted by the Freedom to View Committee of the American Film and Video Association (formerly the Educational Film Library Association) and was adopted by the AFVA Board of Directors in February 1979. This statement was updated and approved by the AFVA Board of Directors in 1989.

http://www.ala.org/rt/vrt/professionalresources/vrtresources/freedomtoview
APPENDIX 10
Confidentiality of Library Records

Policy on Confidentiality of Library Records

The Council of the American Library Association strongly recommends that the responsible officers of each library, cooperative system, and consortium in the United States:

1. Formally adopt a policy that specifically recognizes its circulation records and other records identifying the names of library users to be confidential. (See also ALA Code of Ethics, Article III, "We protect each library user's right to privacy and confidentiality with respect to information sought or received, and resources consulted, borrowed, acquired or transmitted" and Privacy: An Interpretation of the Library Bill of Rights.)

2. Advise all librarians and library employees that such records shall not be made available to any agency of state, federal, or local government except pursuant to such process, order or subpoena as may be authorized under the authority of, and pursuant to, federal, state, or local law relating to civil, criminal, or administrative discovery procedures or legislative investigative power.

3. Resist the issuance of enforcement of any such process, order, or subpoena until such time as a proper showing of good cause has been made in a court of competent jurisdiction. ¹

¹Note: Point 3, above, means that upon receipt of such process, order, or subpoena, the library's officers will consult with their legal counsel to determine if such process, order, or subpoena is in proper form and if there is a showing of good cause for its issuance; if the process, order, or subpoena is not in proper form or if good cause has not been shown, they will insist that such defects be cured.


http://www.ala.org/advocacy/intfreedom/statementspols/otherpolicies/policyconfidentiality

IMPORTANT: In Alabama, confidentiality of records is not a local library decision. Confidentiality is required by §41-8-10 of the Code of Alabama.

For additional sources of information see the list starting on the following page.
Additional sources of information pertaining to the confidentiality of library records:


APPENDIX 11

U.S.A. PATRIOT ACT
(Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act)

TITLE 50 - WAR AND NATIONAL DEFENSE
CHAPTER 36 - FOREIGN INTELLIGENCE SURVEILLANCE
SUBCHAPTER IV - ACCESS TO CERTAIN BUSINESS RECORDS FOR FOREIGN INTELLIGENCE PURPOSES


§1861. Access to certain business records for foreign intelligence and international terrorism investigations

(a) Application for order; conduct of investigation generally

(1) Subject to paragraph (3), the Director of the Federal Bureau of Investigation or a designee of the Director (whose rank shall be no lower than Assistant Special Agent in Charge) may make an application for an order requiring the production of any tangible things (including books, records, papers, documents, and other items) for an investigation to obtain foreign intelligence information not concerning a United States person or to protect against international terrorism or clandestine intelligence activities, provided that such investigation of a United States person is not conducted solely upon the basis of activities protected by the first amendment to the Constitution.

(2) An investigation conducted under this section shall-

(A) be conducted under guidelines approved by the Attorney General under Executive Order 12333 (or a successor order); and

(B) not be conducted of a United States person solely upon the basis of activities protected by the first amendment to the Constitution.

(3) In the case of an application for an order requiring the production of library circulation records, library patron lists, book sales records, book customer lists, firearms sales records, tax return records, educational records, or medical records containing information that would identify a person, the Director of the Federal Bureau of Investigation may delegate the authority to make such application to either the Deputy
Director of the Federal Bureau of Investigation or the Executive Assistant Director for National Security (or any successor position). The Deputy Director or the Executive Assistant Director may not further delegate such authority.

(b) Recipient and contents of application

Each application under this section-

(1) shall be made to-

(A) a judge of the court established by section 1803(a) of this title; or

(B) a United States Magistrate Judge under chapter 43 of title 28, who is publicly designated by the Chief Justice of the United States to have the power to hear applications and grant orders for the production of tangible things under this section on behalf of a judge of that court; and

(2) shall include-

(A) a specific selection term to be used as the basis for the production of the tangible things sought;

(B) in the case of an application other than an application described in subparagraph (C) (including an application for the production of call detail records other than in the manner described in subparagraph (C)), a statement of facts showing that there are reasonable grounds to believe that the tangible things sought are relevant to an authorized investigation (other than a threat assessment) conducted in accordance with subsection (a)(2) to obtain foreign intelligence information not concerning a United States person or to protect against international terrorism or clandestine intelligence activities, such things being presumptively relevant to an authorized investigation if the applicant shows in the statement of the facts that they pertain to-

(i) a foreign power or an agent of a foreign power;

(ii) the activities of a suspected agent of a foreign power who is the subject of such authorized investigation; or

(iii) an individual in contact with, or known to, a suspected agent of a foreign power who is the subject of such authorized investigation;

(C) in the case of an application for the production on an ongoing basis of call detail records created before, on, or after the date of the application relating to an authorized investigation (other than a threat assessment) conducted in accordance with subsection (a)(2) to protect against international terrorism, a statement of facts showing that-
(i) there are reasonable grounds to believe that the call detail records sought to be produced based on the specific selection term required under subparagraph (A) are relevant to such investigation; and

(ii) there is a reasonable, articulable suspicion that such specific selection term is associated with a foreign power engaged in international terrorism or activities in preparation therefor, or an agent of a foreign power engaged in international terrorism or activities in preparation therefor; and

(D) an enumeration of the minimization procedures adopted by the Attorney General under subsection (g) that are applicable to the retention and dissemination by the Federal Bureau of Investigation of any tangible things to be made available to the Federal Bureau of Investigation based on the order requested in such application.

(c) Ex parte judicial order of approval

(1) Upon an application made pursuant to this section, if the judge finds that the application meets the requirements of subsections (a) and (b) and that the minimization procedures submitted in accordance with subsection (b)(2)(D) meet the definition of minimization procedures under subsection (g), the judge shall enter an ex parte order as requested, or as modified, approving the release of tangible things. Such order shall direct that minimization procedures adopted pursuant to subsection (g) be followed.

(2) An order under this subsection-

(A) shall describe the tangible things that are ordered to be produced with sufficient particularity to permit them to be fairly identified, including each specific selection term to be used as the basis for the production;

(B) shall include the date on which the tangible things must be provided, which shall allow a reasonable period of time within which the tangible things can be assembled and made available;

(C) shall provide clear and conspicuous notice of the principles and procedures described in subsection (d);

(D) may only require the production of a tangible thing if such thing can be obtained with a subpoena duces tecum issued by a court of the United States in aid of a grand jury investigation or with any other order issued by a court of the United States directing the production of records or tangible things;

(E) shall not disclose that such order is issued for purposes of an investigation described in subsection (a); and

(F) in the case of an application described in subsection (b)(2)(C), shall-
(i) authorize the production on a daily basis of call detail records for a period not to exceed 180 days;

(ii) provide that an order for such production may be extended upon application under subsection (b) and the judicial finding under paragraph (1) of this subsection;

(iii) provide that the Government may require the prompt production of a first set of call detail records using the specific selection term that satisfies the standard required under subsection (b)(2)(C)(ii);

(iv) provide that the Government may require the prompt production of a second set of call detail records using session-identifying information or a telephone calling card number identified by the specific selection term used to produce call detail records under clause (iii);

(v) provide that, when produced, such records be in a form that will be useful to the Government;

(vi) direct each person the Government directs to produce call detail records under the order to furnish the Government forthwith all information, facilities, or technical assistance necessary to accomplish the production in such a manner as will protect the secrecy of the production and produce a minimum of interference with the services that such person is providing to each subject of the production; and

(vii) direct the Government to-

(I) adopt minimization procedures that require the prompt destruction of all call detail records produced under the order that the Government determines are not foreign intelligence information; and

(II) destroy all call detail records produced under the order as prescribed by such procedures.

(3) No order issued under this subsection may authorize the collection of tangible things without the use of a specific selection term that meets the requirements of subsection (b)(2).

(4) A denial of the application made under this subsection may be reviewed as provided in section 1803 of this title.

(d) Nondisclosure

(1) No person shall disclose to any other person that the Federal Bureau of Investigation has sought or obtained tangible things pursuant to an order issued or an emergency production required under this section, other than to-
(A) those persons to whom disclosure is necessary to comply with such order or such emergency production;

(B) an attorney to obtain legal advice or assistance with respect to the production of things in response to the order or the emergency production; or

(C) other persons as permitted by the Director of the Federal Bureau of Investigation or the designee of the Director.

(2)(A) A person to whom disclosure is made pursuant to paragraph (1) shall be subject to the nondisclosure requirements applicable to a person to whom an order or emergency production is directed under this section in the same manner as such person.

(B) Any person who discloses to a person described in subparagraph (A), (B), or (C) of paragraph (1) that the Federal Bureau of Investigation has sought or obtained tangible things pursuant to an order or emergency production under this section shall notify such person of the nondisclosure requirements of this subsection.

(C) At the request of the Director of the Federal Bureau of Investigation or the designee of the Director, any person making or intending to make a disclosure under subparagraph (A) or (C) of paragraph (1) shall identify to the Director or such designee the person to whom such disclosure will be made or to whom such disclosure was made prior to the request.

(e) Liability for good faith disclosure; waiver

(1) No cause of action shall lie in any court against a person who-

(A) produces tangible things or provides information, facilities, or technical assistance in accordance with an order issued or an emergency production required under this section; or

(B) otherwise provides technical assistance to the Government under this section or to implement the amendments made to this section by the USA FREEDOM Act of 2015.

(2) A production or provision of information, facilities, or technical assistance described in paragraph (1) shall not be deemed to constitute a waiver of any privilege in any other proceeding or context.

(f) Judicial review of FISA orders

(1) In this subsection-

(A) the term "production order" means an order to produce any tangible thing under this section; and
(B) the term "nondisclosure order" means an order imposed under subsection (d).

(2)(A)(i) A person receiving a production order may challenge the legality of the production order or any nondisclosure order imposed in connection with the production order by filing a petition with the pool established by section 1803(e)(1) of this title.

(ii) The presiding judge shall immediately assign a petition under clause (i) to 1 of the judges serving in the pool established by section 1803(e)(1) of this title. Not later than 72 hours after the assignment of such petition, the assigned judge shall conduct an initial review of the petition. If the assigned judge determines that the petition is frivolous, the assigned judge shall immediately deny the petition and affirm the production order or nondisclosure order. If the assigned judge determines the petition is not frivolous, the assigned judge shall promptly consider the petition in accordance with the procedures established under section 1803(e)(2) of this title.

(iii) The assigned judge shall promptly provide a written statement for the record of the reasons for any determination under this subsection. Upon the request of the Government, any order setting aside a nondisclosure order shall be stayed pending review pursuant to paragraph (3).

(B) A judge considering a petition to modify or set aside a production order may grant such petition only if the judge finds that such order does not meet the requirements of this section or is otherwise unlawful. If the judge does not modify or set aside the production order, the judge shall immediately affirm such order, and order the recipient to comply therewith.

(C)(i) A judge considering a petition to modify or set aside a nondisclosure order may grant such petition only if the judge finds that there is no reason to believe that disclosure may endanger the national security of the United States, interfere with a criminal, counterterrorism, or counterintelligence investigation, interfere with diplomatic relations, or endanger the life or physical safety of any person.

(ii) If the judge denies a petition to modify or set aside a nondisclosure order, the recipient of such order shall be precluded for a period of 1 year from filing another such petition with respect to such nondisclosure order.

(D) Any production or nondisclosure order not explicitly modified or set aside consistent with this subsection shall remain in full effect.

(3) A petition for review of a decision under paragraph (2) to affirm, modify, or set aside an order by the Government or any person receiving such order shall be made to the court of review established under section 1803(b) of this title, which shall have jurisdiction to consider such petitions. The court of review shall provide for the record a written statement of the reasons for its decision and, on petition by the Government or any person receiving such order for writ of certiorari, the record shall be transmitted
under seal to the Supreme Court of the United States, which shall have jurisdiction to review such decision.

(4) Judicial proceedings under this subsection shall be concluded as expeditiously as possible. The record of proceedings, including petitions filed, orders granted, and statements of reasons for decision, shall be maintained under security measures established by the Chief Justice of the United States, in consultation with the Attorney General and the Director of National Intelligence.

(5) All petitions under this subsection shall be filed under seal. In any proceedings under this subsection, the court shall, upon request of the Government, review ex parte and in camera any Government submission, or portions thereof, which may include classified information.

(g) Minimization procedures

(1) In general

The Attorney General shall adopt, and update as appropriate, specific minimization procedures governing the retention and dissemination by the Federal Bureau of Investigation of any tangible things, or information therein, received by the Federal Bureau of Investigation in response to an order under this subchapter.

(2) Defined

In this section, the term "minimization procedures" means-

(A) specific procedures that are reasonably designed in light of the purpose and technique of an order for the production of tangible things, to minimize the retention, and prohibit the dissemination, of nonpublicly available information concerning unconsenting United States persons consistent with the need of the United States to obtain, produce, and disseminate foreign intelligence information;

(B) procedures that require that nonpublicly available information, which is not foreign intelligence information, as defined in section 1801(e)(1) of this title, shall not be disseminated in a manner that identifies any United States person, without such person's consent, unless such person's identity is necessary to understand foreign intelligence information or assess its importance; and

(C) notwithstanding subparagraphs (A) and (B), procedures that allow for the retention and dissemination of information that is evidence of a crime which has been, is being, or is about to be committed and that is to be retained or disseminated for law enforcement purposes.

(3) Rule of construction
Nothing in this subsection shall limit the authority of the court established under section 1803(a) of this title to impose additional, particularized minimization procedures with regard to the production, retention, or dissemination of nonpublicly available information concerning unconsenting United States persons, including additional, particularized procedures related to the destruction of information within a reasonable time period.

(h) Use of information

Information acquired from tangible things received by the Federal Bureau of Investigation in response to an order under this subchapter concerning any United States person may be used and disclosed by Federal officers and employees without the consent of the United States person only in accordance with the minimization procedures adopted pursuant to subsection (g). No otherwise privileged information acquired from tangible things received by the Federal Bureau of Investigation in accordance with the provisions of this subchapter shall lose its privileged character. No information acquired from tangible things received by the Federal Bureau of Investigation in response to an order under this subchapter may be used or disclosed by Federal officers or employees except for lawful purposes.

(i) Emergency authority for production of tangible things

(1) Notwithstanding any other provision of this section, the Attorney General may require the emergency production of tangible things if the Attorney General-

(A) reasonably determines that an emergency situation requires the production of tangible things before an order authorizing such production can with due diligence be obtained;

(B) reasonably determines that the factual basis for the issuance of an order under this section to approve such production of tangible things exists;

(C) informs, either personally or through a designee, a judge having jurisdiction under this section at the time the Attorney General requires the emergency production of tangible things that the decision has been made to employ the authority under this subsection; and

(D) makes an application in accordance with this section to a judge having jurisdiction under this section as soon as practicable, but not later than 7 days after the Attorney General requires the emergency production of tangible things under this subsection.

(2) If the Attorney General requires the emergency production of tangible things under paragraph (1), the Attorney General shall require that the minimization procedures required by this section for the issuance of a judicial order be followed.

(3) In the absence of a judicial order approving the production of tangible things under this subsection, the production shall terminate when the information sought is obtained,
when the application for the order is denied, or after the expiration of 7 days from the
time the Attorney General begins requiring the emergency production of such tangible
things, whichever is earliest.

(4) A denial of the application made under this subsection may be reviewed as provided
in section 1803 of this title.

(5) If such application for approval is denied, or in any other case where the production
of tangible things is terminated and no order is issued approving the production, no
information obtained or evidence derived from such production shall be received in
evidence or otherwise disclosed in any trial, hearing, or other proceeding in or before
any court, grand jury, department, office, agency, regulatory body, legislative
committee, or other authority of the United States, a State, or a political subdivision
thereof, and no information concerning any United States person acquired from such
production shall subsequently be used or disclosed in any other manner by Federal
officers or employees without the consent of such person, except with the approval of
the Attorney General if the information indicates a threat of death or serious bodily harm
to any person.

(6) The Attorney General shall assess compliance with the requirements of paragraph
(5).

(j) Compensation

The Government shall compensate a person for reasonable expenses incurred for-

(1) producing tangible things or providing information, facilities, or assistance in
accordance with an order issued with respect to an application described in subsection
(b)(2)(C) or an emergency production under subsection (i) that, to comply with
subsection (i)(1)(D), requires an application described in subsection (b)(2)(C); or

(2) otherwise providing technical assistance to the Government under this section or to
implement the amendments made to this section by the USA FREEDOM Act of 2015.

(k) Definitions

In this section:

(1) In general

The terms "foreign power", "agent of a foreign power", "international terrorism", "foreign
intelligence information", "Attorney General", "United States person", "United States",
"person", and "State" have the meanings provided those terms in section 1801 of this
title.
(2) Address

The term "address" means a physical address or electronic address, such as an electronic mail address or temporarily assigned network address (including an Internet protocol address).

(3) Call detail record

The term "call detail record"-

(A) means session-identifying information (including an originating or terminating telephone number, an International Mobile Subscriber Identity number, or an International Mobile Station Equipment Identity number), a telephone calling card number, or the time or duration of a call; and

(B) does not include-

(i) the contents (as defined in section 2510(8) of title 18) of any communication;

(ii) the name, address, or financial information of a subscriber or customer; or

(iii) cell site location or global positioning system information.

(4) Specific selection term

(A) Tangible things

(i) In general

Except as provided in subparagraph (B), a "specific selection term"-

(I) is a term that specifically identifies a person, account, address, or personal device, or any other specific identifier; and

(II) is used to limit, to the greatest extent reasonably practicable, the scope of tangible things sought consistent with the purpose for seeking the tangible things.

(ii) Limitation

A specific selection term under clause (i) does not include an identifier that does not limit, to the greatest extent reasonably practicable, the scope of tangible things sought consistent with the purpose for seeking the tangible things, such as an identifier that-

(I) identifies an electronic communication service provider (as that term is defined in section 1881 of this title) or a provider of remote computing service (as that term is defined in section 2711 of title 18), when not used as part of a specific identifier as
described in clause (i), unless the provider is itself a subject of an authorized investigation for which the specific selection term is used as the basis for the production; or

(II) identifies a broad geographic region, including the United States, a city, a county, a State, a zip code, or an area code, when not used as part of a specific identifier as described in clause (i).

(iii) Rule of construction

Nothing in this paragraph shall be construed to preclude the use of multiple terms or identifiers to meet the requirements of clause (i).

(B) Call detail record applications

For purposes of an application submitted under subsection (b)(2)(C), the term "specific selection term" means a term that specifically identifies an individual, account, or personal device.


Amendment of Section


§1861. Definitions

As used in this subchapter:

(1) The terms "foreign power", "agent of a foreign power", "foreign intelligence information", "international terrorism", and "Attorney General" shall have the same meanings as in section 1801 of this title.
(2) The term "common carrier" means any person or entity transporting people or property by land, rail, water, or air for compensation.

(3) The term "physical storage facility" means any business or entity that provides space for the storage of goods or materials, or services related to the storage of goods or materials, to the public or any segment thereof.

(4) The term "public accommodation facility" means any inn, hotel, motel, or other establishment that provides lodging to transient guests.

(5) The term "vehicle rental facility" means any person or entity that provides vehicles for rent, lease, loan, or other similar use to the public or any segment thereof.


[Amendment made by Pub. L. 114–23 to section 102(b) of Pub. L. 109–177, delaying the reversion of this section from June 1, 2015, to Dec. 15, 2019, was given effect to reflect the probable intent of Congress, notwithstanding that Pub. L. 114–23 was enacted on June 2, 2015.]

References in Text

Executive Order No. 12333, referred to in subsec. (a)(2)(A), is set out as a note under section 3001 of this title.


Codification

Pursuant to Pub. L. 109–177, §102(b)(1), as amended by Pub. L. 112–14, this section was amended, effective June 1, 2015, to read as it read on Oct. 25, 2001. The amendments made by Pub. L. 114–23, which was enacted June 2, 2015, were directed to this section as it read prior to such reversion and were executed as if the reversion had not taken place, to reflect the probable intent of Congress and the extension of the provisions of this section to Dec. 15, 2019, by Pub. L. 114–23, §705(a), (c). See 2015 Amendment notes below.

Prior Provisions


Amendments


Pub. L. 114–23, §101(a)(1)(A), substituted "in the case of an application other than an application described in subparagraph (C) (including an application for the production of call detail records other than in the manner described in subparagraph (C)), a statement" for "a statement" in introductory provisions.


Subsec. (c)(1). Pub. L. 114–23, §104(a)(1), inserted "and that the minimization procedures submitted in accordance with subsection (b)(2)(D) meet the definition of minimization procedures under subsection (g)" after "subsections (a) and (b)".

Subsec. (c)(2)(A). Pub. L. 114–23, §103(b)(1), inserted before semicolon at end ", including each specific selection term to be used as the basis for the production".


Subsec. (d)(1). Pub. L. 114–23, §102(b)(1)(A), substituted "pursuant to an order issued or an emergency production required" for "pursuant to an order" in introductory provisions.

Subsec. (d)(1)(A). Pub. L. 114–23, §102(b)(1)(B), substituted "such order or such emergency production" for "such order".
Subsec. (d)(1)(B). Pub. L. 114–23, §102(b)(1)(C), substituted "the order or the emergency production" for "the order".


Subsec. (e). Pub. L. 114–23, §105, amended subsec. (e) generally. Prior to amendment, text read as follows: "A person who, in good faith, produces tangible things under an order pursuant to this section shall not be liable to any other person for such production. Such production shall not be deemed to constitute a waiver of any privilege in any other proceeding or context."

Subsec. (f)(2)(A)(i). Pub. L. 114–23, §104(b)(1), substituted "the production order or any nondisclosure order imposed in connection with the production order" for "that order" and struck out at end "Not less than 1 year after the date of the issuance of the production order, the recipient of a production order may challenge the nondisclosure order imposed in connection with such production order by filing a petition to modify or set aside such nondisclosure order, consistent with the requirements of subparagraph (C), with the pool established by section 1803(e)(1) of this title.”

Subsec. (f)(2)(C)(ii), (iii). Pub. L. 114–23, §104(b)(2), redesignated cl. (iii) as (ii) and struck out former cl. (ii) which read as follows: "If, upon filing of such a petition, the Attorney General, Deputy Attorney General, an Assistant Attorney General, or the Director of the Federal Bureau of Investigation certifies that disclosure may endanger the national security of the United States or interfere with diplomatic relations, such certification shall be treated as conclusive, unless the judge finds that the certification was made in bad faith.”

Subsec. (g)(1). Pub. L. 114–23, §104(a)(3), substituted "The" for "Not later than 180 days after March 9, 2006, the" and inserted ", and update as appropriate," after "adopt".


Subsec. (i). Pub. L. 114–23, §102(a), which directed adding subsec. (i) at the end of this section, effective after the addition of subssecs. (j) and (k), was executed by adding subsec. (i) after subsec. (h) to reflect the probable intent of Congress.


Subsec. (a)(1). Pub. L. 109–177, §106(a)(1), substituted "Subject to paragraph (3), the Director" for "The Director".


Subsec. (b)(2). Pub. L. 109–177, §106(b), amended par. (2) generally. Prior to amendment, par. (2) read as follows: "shall specify that the records concerned are sought for an authorized investigation conducted in accordance with subsection (a)(2) to obtain foreign intelligence information not concerning a United States person or to protect against international terrorism or clandestine intelligence activities."

Subsec. (c). Pub. L. 109–177, §106(c), (d), amended subsec. (c) generally. Prior to amendment, text read as follows:

"(1) Upon an application made pursuant to this section, the judge shall enter an ex parte order as requested, or as modified, approving the release of records if the judge finds that the application meets the requirements of this section.

"(2) An order under this subsection shall not disclose that it is issued for purposes of an investigation described in subsection (a)."

Subsec. (d). Pub. L. 109–177, §106(e), amended subsec. (d) generally. Prior to amendment, text read as follows: "No person shall disclose to any other person (other than those persons necessary to produce the tangible things under this section) that the Federal Bureau of Investigation has sought or obtained tangible things under this section."

Subsec. (d)(2)(C). Pub. L. 109–178, §4(a), amended subpar. (C) generally. Prior to amendment, subpar. (C) read as follows: "At the request of the Director of the Federal Bureau of Investigation or the designee of the Director, any person making or intending to make a disclosure under this section shall identify to the Director or such designee
the person to whom such disclosure will be made or to whom such disclosure was made prior to the request, but in no circumstance shall a person be required to inform the Director or such designee that the person intends to consult an attorney to obtain legal advice or legal assistance."


Subsecs. (g), (h). Pub. L. 109–177, §106(g), added subsecs. (g) and (h).

2001—Subsec. (a)(1). Pub. L. 107–108 inserted "to obtain foreign intelligence information not concerning a United States person or" after "an investigation".

Effective Date of 2015 Amendment

Pub. L. 114–23, title I, §109(a), June 2, 2015, 129 Stat. 276, provided that: "The amendments made by sections 101 through 103 [amending this section] shall take effect on the date that is 180 days after the date of the enactment of this Act [June 2, 2015]."

Effective Date of 2006 Amendment

Amendment by section 102(b)(1) of Pub. L. 109–177 effective Dec. 15, 2019, except that former provisions to continue in effect with respect to any particular foreign intelligence investigation that began before Dec. 15, 2019, or with respect to any particular offense or potential offense that began or occurred before Dec. 15, 2019, see section 102(b) of Pub. L. 109–177, set out as a note under section 1805 of this title.

Construction of Pub. L. 114–23

Pub. L. 114–23, title I, §109(b), June 2, 2015, 129 Stat. 276, provided that: "Nothing in this Act [see Tables for classification] shall be construed to alter or eliminate the authority of the Government to obtain an order under title V of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861 et seq.) as in effect prior to the effective date described in subsection (a) [see Effective Date of 2015 Amendment note above] during the period ending on such effective date."

Pub. L. 114–23, title I, §110, June 2, 2015, 129 Stat. 276, provided that: "Nothing in this Act [see Tables for classification] shall be construed to authorize the production of the contents (as such term is defined in section 2510(8) of title 18, United States Code) of any electronic communication from an electronic communication service provider (as such term is defined in section 701(b)(4) of the Foreign Intelligence Surveillance Act of

§1862. Congressional oversight

(a) On an annual basis, the Attorney General shall fully inform the Permanent Select Committee on Intelligence and the Committee on the Judiciary of the House of Representatives and the Select Committee on Intelligence and the Committee on the Judiciary of the Senate concerning all requests for the production of tangible things under section 1861 of this title.

(b) In April of each year, the Attorney General shall submit to the House and Senate Committees on the Judiciary and the House Permanent Select Committee on Intelligence and the Senate Select Committee on Intelligence a report setting forth with respect to the preceding calendar year-

(1) a summary of all compliance reviews conducted by the Government for the production of tangible things under section 1861 of this title;

(2) the total number of applications described in section 1861(b)(2)(B) of this title made for orders approving requests for the production of tangible things;

(3) the total number of such orders either granted, modified, or denied;

(4) the total number of applications described in section 1861(b)(2)(C) of this title made for orders approving requests for the production of call detail records;

(5) the total number of such orders either granted, modified, or denied;

(6) the total number of applications made for orders approving requests for the production of tangible things under section 1861 of this title;

(7) the total number of such orders either granted, modified, or denied; and

(8) the number of such orders either granted, modified, or denied for the production of each of the following:

(A) Library circulation records, library patron lists, book sales records, or book customer lists.
(B) Firearms sales records.

(C) Tax return records.

(D) Educational records.

(E) Medical records containing information that would identify a person.

(c)(1) In April of each year, the Attorney General shall submit to Congress a report setting forth with respect to the preceding year-

(A) the total number of applications made for orders approving requests for the production of tangible things under section 1861 of this title;

(B) the total number of such orders either granted, modified, or denied;

(C) the total number of applications made for orders approving requests for the production of tangible things under section 1861 of this title in which the specific selection term does not specifically identify an individual, account, or personal device;

(D) the total number of orders described in subparagraph (C) either granted, modified, or denied; and

(E) with respect to orders described in subparagraph (D) that have been granted or modified, whether the court established under section 1803 of this title has directed additional, particularized minimization procedures beyond those adopted pursuant to section 1861(g) of this title.

(2) Each report under this subsection shall be submitted in unclassified form.


Amendment of Section

§1862. Access to certain business records for foreign intelligence and international terrorism investigations

(a) Application for authorization

The Director of the Federal Bureau of Investigation or a designee of the Director (whose rank shall be no lower than Assistant Special Agent in Charge) may make an application for an order authorizing a common carrier, public accommodation facility, physical storage facility, or vehicle rental facility to release records in its possession for an investigation to gather foreign intelligence information or an investigation concerning international terrorism which investigation is being conducted by the Federal Bureau of Investigation under such guidelines as the Attorney General approves pursuant to Executive Order No. 12333, or a successor order.

(b) Recipient and contents of application

Each application under this section-

(1) shall be made to-

(A) a judge of the court established by section 1803(a) of this title; or

(B) a United States Magistrate Judge under chapter 43 of title 28 who is publicly designated by the Chief Justice of the United States to have the power to hear applications and grant orders for the release of records under this section on behalf of a judge of that court; and

(2) shall specify that-

(A) the records concerned are sought for an investigation described in subsection (a); and

(B) there are specific and articulable facts giving reason to believe that the person to whom the records pertain is a foreign power or an agent of a foreign power.

(c) Ex parte judicial order of approval

(1) Upon application made pursuant to this section, the judge shall enter an ex parte order as requested, or as modified, approving the release of records if the judge finds that the application satisfies the requirements of this section.

(2) An order under this subsection shall not disclose that it is issued for purposes of an investigation described in subsection (a).
(d) Compliance; nondisclosure

(1) Any common carrier, public accommodation facility, physical storage facility, or vehicle rental facility shall comply with an order under subsection (c).

(2) No common carrier, public accommodation facility, physical storage facility, or vehicle rental facility, or officer, employee, or agent thereof, shall disclose to any person (other than those officers, agents, or employees of such common carrier, public accommodation facility, physical storage facility, or vehicle rental facility necessary to fulfill the requirement to disclose information to the Federal Bureau of Investigation under this section) that the Federal Bureau of Investigation has sought or obtained records pursuant to an order under this section.


[Amendment made by Pub. L. 114–23 to section 102(b) of Pub. L. 109–177, delaying the reversion of this section from June 1, 2015, to Dec. 15, 2019, was given effect to reflect the probable intent of Congress, notwithstanding that Pub. L. 114–23 was enacted on June 2, 2015.]

Codification

Pursuant to Pub. L. 109–177, §102(b)(1), as amended by Pub. L. 112–14, this section was amended, effective June 1, 2015, to read as it read on Oct. 25, 2001. The amendments made by Pub. L. 114–23, which was enacted June 2, 2015, were directed to this section as it read prior to such reversion and were executed as if the reversion had not taken place, to reflect the probable intent of Congress and the extension of the provisions of this section to Dec. 15, 2019, by Pub. L. 114–23, §705(a), (c). See 2015 Amendment notes below.

Prior Provisions


Amendments


Subsec. (a). Pub. L. 114–23, §605(d), substituted "Permanent Select Committee on Intelligence and the Committee on the Judiciary of the House of Representatives and the Select Committee on Intelligence and the Committee on the Judiciary of the Senate"
for "Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence and the Committee on the Judiciary of the Senate".

Subsec. (b). Pub. L. 114–23, §601(a), added pars. (1) to (5) and redesignated former pars. (1) to (3) as (6) to (8), respectively.

Subsec. (c)(1)(C) to (E). Pub. L. 114–23, §601(b), added subpars. (C) to (E).


Subsec. (a). Pub. L. 111–259 substituted "an annual" for "a annual".


Subsec. (a). Pub. L. 109–177, §106(h)(1), substituted "annual basis" for "semiannual basis" and inserted "and the Committee on the Judiciary" after "and the Select Committee on Intelligence".

Subsec. (b). Pub. L. 109–177, §106(h)(2)(A), in introductory provisions, substituted "In April of each year, the Attorney General shall submit to the House and Senate Committees on the Judiciary and the House Permanent Select Committee on Intelligence and the Senate Select Committee on Intelligence a report setting forth with respect to the preceding calendar year" for "On a semiannual basis, the Attorney General shall provide to the Committees on the Judiciary of the House of Representatives and the Senate a report setting forth with respect to the preceding 6-month period".


Effective Date of 2006 Amendment

Amendment by section 102(b)(1) of Pub. L. 109–177 effective Dec. 15, 2019, except that former provisions to continue in effect with respect to any particular foreign intelligence investigation that began before Dec. 15, 2019, or with respect to any particular offense or potential offense that began or occurred before Dec. 15, 2019, see section 102(b) of Pub. L. 109–177, set out as a note under section 1805 of this title.
APPENDIX 12
Internet Use Policies


Internet Use Policies

ALA strongly encourages every library to adopt, implement and publicize a written Internet use policy in the same way it adopts other library use and access policies. This policy should be in keeping with your library's mission statement, other access policies and community needs.

In light of the Children's Internet Protection Act (CIPA) decision, ALA urges any library using mandatory filtering software to consult with legal counsel to re-evaluate its Internet use policy and assess the risk of future litigation. Traditionally, the children's and young adult sections of the library contain materials selected for these groups, although children are not restricted to those areas. The same holds true for the Internet.

The following sections have been organized to help your library create and develop an effective Internet use policy. Some of the tips and recommendations are intended for a specific type of library, and others are for general use.

SPECIFIC INTERNET USE POLICY PROVISIONS

The position of the ALA is set forth in several documents adopted by the Council, its governing body. The Interpretation of the Library Bill of Rights titled “Access to Digital Information, Services, and Networks” calls for free and unfettered access to the Internet for any library user, regardless of age. The “Statement on Library Use of Filtering Software” reiterates the U.S. Supreme Court's declaration in Reno v. American Civil Liberties Union that the Internet is a forum of free expression deserving full constitutional protection. The resolution and statement condemn as a violation of the Library Bill of Rights any use by libraries of filtering software that blocks access to constitutionally protected speech.

In 2015, the ALA Council adopted Internet Filtering: An Interpretation of the Library Bill of Rights which provides a comprehensive summary of the association's position on internet filtering.

WHAT SHOULD AN INTERNET USE POLICY INCLUDE?

All libraries should include a disclaimer and introduction that are specific to their own Internet use policies:
• Disclaimer—It is very important for users to know that the library is not responsible for Internet content.
• Introduction—Provide reasons for the policy and explain what the policy covers.

INTERNET ACCEPTABLE USES
All Internet resources accessible through libraries should be provided equally to all library users. When creating an Internet use policy, be sure to keep in mind that the policy must be compatible with the mission of the library by including some examples of acceptable uses.

Here are a few suggestions to consider when creating or updating your policy:

• Ensure that the policy speaks to access for all.
• Affirm the importance of respect for the privacy and sensibilities of other users.
• Keep it simple and avoid jargon. Making the policy too technical will confuse people.
• Separate policies from procedures. Policies do not change frequently; procedures change.
• Involve your library staff, board and friends group in the policy-writing process.
• Make policies readily available and visible to the public.
• Pay attention to the legal protection provided by copyright and by licenses for programs and data.
• Include a statement addressing patron privacy.
• Communicate clearly that users are responsible for what they access online; parents are responsible for their children's Internet use.
• Update your policy regularly. Be sure it reflects the Supreme Court CIPA decision.
• Include consideration for the integrity of computing systems.
• Indicate that individuals are responsible for using the library's computers and the Internet in a courteous and ethical manner.
• Advise users to log in/authenticate into the Library's network or to any other computer system following proper Internet use guidelines.
• Advise users to be conscious of copyright, software license agreements and Internet use laws.
• Advise users to follow federal, state or local laws on the use of Internet.
• Advise users to use the library's software and hardware appropriately.

GUIDELINES FOR INTERNET ACCEPTABLE USE POLICIES: PUBLIC LIBRARIES
Public libraries should consider adopting a comprehensive and well-written Internet use policy that:

• Sets forth reasonable time, place, and manner restrictions;
• Expressly prohibits any use of library equipment to access material that is obscene or child pornography; and in the case of minors, “harmful to minors” materials, consistent with any applicable state or local law (for additional information, see “Legal Section” of the toolkit);
• Provides for the privacy of users with respect to public terminals;
• Protects the confidentiality of records, electronic or otherwise, that identify individual users and link them to search strategies, sites accessed, or other specific data about the information they retrieved or sought to retrieve; and
• Informs users if filters are being used.

If any Internet filtering technology is used, the policy should clearly state that, in keeping with the Supreme Court’s 2003 decision, adults have the right to request filters be disabled, without justification, and in a timely manner. The policy should include clear instructions for making such requests. Libraries should also consider taking the following actions:

• Communicate the relevant policies for use of Internet-access computers to all library users and include the parents of children who may use the library without direct parental supervision.
• Post notices at all Internet-access computers informing users that “utilizing library equipment to access illegal materials as specified in the Internet use policy is prohibited.”
• Offer a variety of programs (at convenient times) to educate library users, including parents and children, on the use of the Internet, and publicize these programs widely.
• Create a list of recommended Internet sites for library users in general. In the case of youth and children, according to age group, offer direct links to sites with educational and other types of material best suited to their typical needs and interests. For additional information, see “Children 10 Years of Age and Under” and “Teens 11-17 Years of Age” sections under “Safety & Responsibility” in this toolkit.

SAMPLE PUBLIC LIBRARY INTERNET USE POLICIES

Brooks Memorial Library
Multnomah County Library
Monterey Public Library
San Antonio Public Library
Santa Monica Public Library
CHILDREN’S INTERNET PROTECTION ACT (Pub. L. 106-554)

TITLE XVII--CHILDREN’S INTERNET PROTECTION

SEC. 1701. SHORT TITLE.
This title may be cited as the "Children's Internet Protection Act".

SEC. 1702. DISCLAIMERS.
(a) DISCLAIMER REGARDING CONTENT.--Nothing in this title or the amendments made by this title shall be construed to prohibit a local educational agency, elementary or secondary school, or library from blocking access on the Internet on computers owned or operated by that agency, school, or library to any content other than content covered by this title or the amendments made by this title.

(b) DISCLAIMER REGARDING PRIVACY.--Nothing in this title or the amendments made by this title shall be construed to require the tracking of Internet use by any identifiable minor or adult user.

SEC. 1703. STUDY OF TECHNOLOGY PROTECTION MEASURES.
(a) IN GENERAL.--Not later than 18 months after the date of the enactment of this Act, the National Telecommunications and Information Administration shall initiate a notice and comment proceeding for purposes of—
(1) evaluating whether or not currently available technology protection measures, including commercial Internet blocking and filtering software, adequately addresses the needs of educational institutions;
(2) making recommendations on how to foster the development of measures that meet such needs; and
(3) evaluating the development and effectiveness of local Internet safety policies that are currently in operation after community input.

(b) DEFINITIONS.--In this section:
(1) TECHNOLOGY PROTECTION MEASURE.--The term "technology protection measure" means a specific technology that blocks or filters Internet access to visual depictions that are—
(A) obscene, as that term is defined in section 1460 of title 18, United States Code;
(B) child pornography, as that term is defined in section 2256 of title 18, United States Code; or
(C) harmful to minors.

(2) HARMFUL TO MINORS.--The term "harmful to minors" means any picture, image, graphic image file, or other visual depiction that—(A) taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion;
(B) depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and

(C) taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

(3) **SEXUAL ACT; SEXUAL CONTACT.**--The terms ``sexual act'' and ``sexual contact'' have the meanings given such terms in section 2246 of title 18, United States Code.

**Subtitle A--Federal Funding for Educational Institution Computers**

**SEC. 1712. LIMITATION ON AVAILABILITY OF CERTAIN FUNDS FOR LIBRARIES.**

(a) **AMENDMENT.**--Section 224 of the Museum and Library Services Act (20 U.S.C. 9134(b)) is amended—

(1) in subsection (b)--

(A) by redesignating paragraph (6) as paragraph (7); and

(B) by inserting after paragraph (5) the following new paragraph:

“(6) provide assurances that the State will comply with subsection (f); and”;

and

(2) by adding at the end the following new subsection:

“(f) **INTERNET SAFETY.**—

“(1) **IN GENERAL.**--No funds made available under this Act for a library described in section 213(2)(A) or (B) that does not receive services at discount rates under section 254(h)(6) of the Communications Act of 1934, as added by section 1721 of this Children’s Internet Protection Act, may be used to purchase computers used to access the Internet, or to pay for direct costs associated with accessing the Internet, for such library unless—

“(A) such library—

“(i) has in place a policy of Internet safety for minors that includes the operation of a technology protection measure with respect to any of its computers with Internet access that protects against access through such computers to visual depictions that are—

“(I) obscene;

“(II) child pornography; or

“(III) harmful to minors; and

“(ii) is enforcing the operation of such technology protection measure during any use of such computers by minors; and

“(B) such library—

“(i) has in place a policy of Internet safety that includes the operation of a technology protection measure with respect to any of its computers with Internet access that protects against access through such computers to visual depictions that are—

“(I) obscene; or
“(II) child pornography; and”(ii) is enforcing the operation of such technology protection measure during any use of such computers.

“(2) ACCESS TO OTHER MATERIALS.--Nothing in this subsection shall be construed to prohibit a library from limiting Internet access to or otherwise protecting (1)(A)(i).

“(3) DISABLING DURING CERTAIN USE.--An administrator, supervisor, or other authority may disable a technology protection measure under paragraph (1) to enable access for bona fide research or other lawful purposes.

“(4) TIMING AND APPLICABILITY OF IMPLEMENTATION.—

“(A) IN GENERAL.—A library covered by paragraph (1) shall certify the compliance of such library with the requirements of paragraph (1) as part of the application process for the next program funding year under this Act following the effective date of this subsection, and for each subsequent program funding year thereafter.

“(B) PROCESS.—

“(i) LIBRARIES WITH INTERNET SAFETY POLICIES AND TECHNOLOGY PROTECTION MEASURES IN PLACE.--A library covered by paragraph (1) that has in place an Internet safety policy meeting the requirements of paragraph (1) shall certify its compliance with paragraph (1) during each annual program application cycle under this Act.

“(ii) LIBRARIES WITHOUT INTERNET SAFETY POLICIES AND TECHNOLOGY PROTECTION MEASURES IN PLACE.--A library covered by paragraph (1) that does not have in place an Internet safety policy meeting the requirements of paragraph (1)—

“(I) for the first program year after the effective date of this subsection in which the library applies for funds under this Act, shall certify that it is undertaking such actions, including any necessary procurement procedures, to put in place an Internet safety policy that meets such requirements; and

“(II) for the second program year after the effective date of this subsection in which the library applies for funds under this Act, shall certify that such library is in compliance with such requirements.

Any library covered by paragraph (1) that is unable to certify compliance with such requirements in such second program year shall be ineligible for all funding under this Act for such second program year and all subsequent program years until such time as such library comes into compliance with such requirements.

“(iii) WAIVERS.--Any library subject to a certification under clause (ii)(II) that cannot make the certification otherwise required by that clause may seek a waiver of that clause if State or local procurement rules or regulations or competitive bidding requirements prevent the making of the certification otherwise required by that clause. The library shall notify the Director of the Institute of Museum and Library Services of the applicability of that clause to the library. Such notice shall certify that the library will comply with the requirements in paragraph (1) before the start
of the third program year after the effective date of this subsection for which the library is applying for funds under this Act.

“(5) NONCOMPLIANCE.—

“(A) USE OF GENERAL EDUCATION PROVISIONS ACT REMEDIES.—

Whenever the Director of the Institute of Museum and Library Services has reason to believe that any recipient of funds this Act is failing to comply substantially with the requirements of this subsection, the Director may—

“(i) withhold further payments to the recipient under this Act,

“(ii) issue a complaint to compel compliance of the recipient through a cease and desist order, or

“(iii) enter into a compliance agreement with a recipient to bring it into compliance with such requirements.

“(B) RECOVERY OF FUNDS PROHIBITED.—The actions authorized by subparagraph (A) are the exclusive remedies available with respect to the failure of a library to comply substantially with a provision of this subsection, and the Director shall not seek a recovery of funds from the recipient for such failure.

“(C) RECOMMENCEMENT OF PAYMENTS.—Whenever the Director determines (whether by certification or other appropriate evidence) that a recipient of funds who is subject to the withholding of payments under subparagraph (A)(i) has cured the failure providing the basis for the withholding of payments, the Director shall cease the withholding of payments to the recipient under that subparagraph.

“(6) SEPARABILITY.—If any provision of this subsection is held invalid, the remainder of this subsection shall not be affected thereby.

“(7) DEFINITIONS.—In this section:

“(A) CHILD PORNOGRAPHY.—The term `child pornography' has the meaning given such term in section 2256 of title 18, United States Code.

“(B) HARMFUL TO MINORS.—The term `harmful to minors' means any picture, image, graphic image file, or other visual depiction that—

“(i) taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion;

“(ii) depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and

“(iii) taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

“(C) MINOR.—The term `minor' means an individual who has not attained the age of 17.

“(D) OBSCENE.—The term `obscene' has the meaning given such term in section 1460 of title 18, United States Code.

“(E) SEXUAL ACT; SEXUAL CONTACT.—The terms `sexual act' and `sexual contact' have the meanings given such terms in section 2246 of title 18, United States Code.”
(b) EFFECTIVE DATE.--The amendment made by this section shall take effect 120 days after the date of the enactment of this Act.

Subtitle B--Universal Service Discounts

SEC. 1721. REQUIREMENT FOR SCHOOLS AND LIBRARIES TO ENFORCE INTERNET SAFETY POLICIES WITH TECHNOLOGY PROTECTION MEASURES FOR COMPUTERS WITH INTERNET ACCESS AS CONDITION OF UNIVERSAL SERVICE DISCOUNTS.

(b) LIBRARIES.--Such section 254(h) is further amended by inserting after paragraph (5), as amended by subsection (a) of this section, the following new paragraph:

“(6) REQUIREMENTS FOR CERTAIN LIBRARIES WITH COMPUTERS HAVING INTERNET ACCESS.—

“(A) INTERNET SAFETY.—

“(i) IN GENERAL.--Except as provided in clause (ii), a library having one or more computers with Internet access may not receive services at discount rates under paragraph (1)(B) unless the library—

“(I) submits to the Commission the certifications described in subparagraphs (B) and (C); and

“(II) submits to the Commission a certification that an Internet safety policy has been adopted and implemented for the library under subsection (l); and

“(III) ensures the use of such computers in accordance with the certifications.

“(ii) APPLICABILITY.--The prohibition in clause (i) shall not apply with respect to a library that receives services at discount rates under paragraph (1)(B) only for purposes other than the provision of Internet access, Internet service, or internal connections.

“(iii) PUBLIC NOTICE; HEARING.--A library described in clause (i) shall provide reasonable public notice and hold at least 1 public hearing or meeting to address the proposed Internet safety policy.

“(B) CERTIFICATION WITH RESPECT TO MINORS.--A certification under this subparagraph is a certification that the library—

“(i) is enforcing a policy of Internet safety that includes the operation of a technology protection measure with respect to any of its computers with Internet access that protects against access through such computers to visual depictions that are—

“(I) obscene;

“(II) child pornography; or

“(III) harmful to minors; and

“(ii) is enforcing the operation of such technology protection measure during any use of such computers by minors.
“(C) **CERTIFICATION WITH RESPECT TO ADULTS.**--A certification under this paragraph is a certification that the library--

“(i) is enforcing a policy of Internet safety that includes the operation of a technology protection measure with respect to any of its computers with Internet access that protects against access through such computers to visual depictions that are—

“(I) obscene; or

“(II) child pornography; and

“(ii) is enforcing the operation of such technology protection measure during any use of such computers.

“(D) **DISABLING DURING ADULT USE.**--An administrator, supervisor, or other person authorized by the certifying authority under subparagraph (A)(i) may disable the technology protection measure concerned, during use by an adult, to enable access for bona fide research or other lawful purpose.

“(E) **TIMING OF IMPLEMENTATION.**—

“(i) **IN GENERAL.**--Subject to clause (ii) in the case of any library covered by this paragraph as of the effective date of this paragraph under section 1721(h) of the Children's Internet Protection Act, the certification under subparagraphs (B) and (C) shall be made—

“(I) with respect to the first program funding year under this subsection following such effective date, not later than 120 days after the beginning of such program funding year; and

“(II) with respect to any subsequent program funding year, as part of the application process for such program funding year.

“(ii) **PROCESS.**—

“(I) **LIBRARIES WITH INTERNET SAFETY POLICY AND TECHNOLOGY PROTECTION MEASURES IN PLACE.**--A library covered by clause (i) that has in place an Internet safety policy and technology protection measures meeting the requirements necessary for certification under subparagraphs (B) and (C) shall certify its compliance with subparagraphs (B) and (C) during each annual program application cycle under this subsection, except that with respect to the first program funding year after the effective date of this paragraph under section 1721(h) of the Children's Internet Protection Act, the certifications shall be made not later than 120 days after the beginning of such first program funding year.

“(II) **LIBRARIES WITHOUT INTERNET SAFETY POLICY AND TECHNOLOGY PROTECTION MEASURES IN PLACE.**--A library covered by clause (i) that does not have in place an Internet safety policy and technology protection measures meeting the requirements necessary for certification under subparagraphs (B) and (C)—

“(aa) for the first program year after the effective date of this subsection in which it is applying for funds under this subsection, shall certify that it is undertaking such actions, including any necessary procurement procedures, to put in place an Internet
safety policy and technology protection measures meeting the requirements necessary for certification under subparagraphs (B) and (C); and

“(bb) for the second program year after the effective date of this subsection in which it is applying for funds under this subsection, shall certify that it is in compliance with subparagraphs (B) and (C). Any library that is unable to certify compliance with such requirements in such second program year shall be ineligible for services at discount rates or funding in lieu of services at such rates under this subsection for such second year and all subsequent program years under this subsection, until such time as such library comes into compliance with this paragraph.

“(III) WAIVERS.--Any library subject to subclause (II) that cannot come into compliance with subparagraphs (B) and (C) in such second year may seek a waiver of subclause (II)(bb) if State or local procurement rules or regulations or competitive bidding requirements prevent the making of the certification otherwise required by such subclause. A library, library board, or other authority with responsibility for administration of the library shall notify the Commission of the applicability of such subclause to the library. Such notice shall certify that the library in question will be brought into compliance before the start of the third program year after the effective date of this subsection in which the library is applying for funds under this subsection.

“(F) NONCOMPLIANCE.—

“(i) FAILURE TO SUBMIT CERTIFICATION.--Any library that knowingly fails to comply with the application guidelines regarding the annual submission of certification required by this paragraph shall not be eligible for services at discount rates or funding in lieu of services at such rates under this subsection.

“(ii) FAILURE TO COMPLY WITH CERTIFICATION.--Any library that knowingly fails to ensure the use of its computers in accordance with a certification under subparagraphs (B) and (C) shall reimburse all funds and discounts received under this subsection for the period covered by such certification.

“(iii) REMEDY OF NONCOMPLIANCE.—

“(I) FAILURE TO SUBMIT.--A library that has failed to submit a certification under clause (i) may remedy the failure by submitting the certification to which the failure relates. Upon submittal of such certification, the library shall be eligible for services at discount rates under this subsection.

“(II) FAILURE TO COMPLY.--A library that has failed to comply with a certification as described in clause (ii) may remedy the failure by ensuring the use of its computers in accordance with such certification. Upon submittal to the Commission of a certification or
other appropriate evidence of such remedy, the library shall be eligible for services at discount rates under this subsection.

(c) **DEFINITIONS.**--Paragraph (7) of such section, as redesignated by subsection (a)(1) of this section, is amended by adding at the end the following:

"(D) **MINOR.**--The term `minor' means any individual who has not attained the age of 17 years.

"(E) **OBSCENE.**--The term `obscene' has the meaning given such term in section 1460 of title 18, United States Code.

"(F) **CHILD PORNOGRAPHY.**--The term `child pornography' has the meaning given such term in section 2256 of title 18, United States Code.

"(G) **HARMFUL TO MINORS.**--The term `harmful to minors' means any picture, image, graphic image file, or other visual depiction that—

"(i) taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion;

"(ii) depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and

"(iii) taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

"(H) **SEXUAL ACT; SEXUAL CONTACT.**--The terms `sexual act' and `sexual contact' have the meanings given such terms in section 2246 of title 18, United States Code.

"(I) **TECHNOLOGY PROTECTION MEASURE.**--The term `technology protection measure' means a specific technology that blocks or filters Internet access to the material covered by a certification under paragraph (5) or (6) to which such certification relates."

(d) **CONFORMING AMENDMENT.**--Paragraph (4) of such section is amended by striking "paragraph (5)(A)'' and inserting "paragraph (7)(A)''.

(e) **SEPARABILITY.**--If any provision of paragraph (5) or (6) of section 254(h) of the Communications Act of 1934, as amended by this section, or the application thereof to any person or circumstance is held invalid, the remainder of such paragraph and the application of such paragraph to other persons or circumstances shall not be affected thereby.

(f) **REGULATIONS.**--

(1) **REQUIREMENT.**--The Federal Communications Commission shall prescribe regulations for purposes of administering the provisions of paragraphs (5) and (6) of section 254(h) of the Communications Act of 1934, as amended by this section.

(2) **DEADLINE.**--Notwithstanding any other provision of law, the Commission shall prescribe regulations under paragraph (1) so as to ensure that such regulations take effect 120 days after the date of the enactment of this Act.

(g) **AVAILABILITY OF CERTAIN FUNDS FOR ACQUISITION OF TECHNOLOGY PROTECTION MEASURES.**
(1) **IN GENERAL.**--Notwithstanding any other provision of law, funds available under section 3134 or part A of title VI of the Elementary and Secondary Education Act of 1965, or under section 231 of the Library Services and Technology Act, may be used for the purchase or acquisition of technology protection measures that are necessary to meet the requirements of this title and the amendments made by this title. No other sources of funds for the purchase or acquisition of such measures are authorized by this title, or the amendments made by this title.

(2) **TECHNOLOGY PROTECTION MEASURE DEFINED.**--In this section, the term "technology protection measure" has the meaning given that term in section 1703.

(h) **EFFECTIVE DATE.**--The amendments made by this section shall take effect 120 days after the date of the enactment of this Act.
APPENDIX 14
APLS Legal Establishment and Powers

Chapter 8, “Alabama Public Library Service”, §41-8-1 to §41-8-10 of the Code of Alabama, 1975

TITLE 41 – STATE GOVERNMENT
CHAPTER 8 – ALABAMA PUBLIC LIBRARY SERVICE

§41-8-1. Creation; chief objective.
In order to aid in the development of higher ideals of citizenship and the enlargement of opportunity for culture and recreation and in order to afford an additional means for the further upbuilding of the educational facilities of the state, there shall be a Public Library Service, which shall be known as the Alabama Public Library Service and shall have as its chief objective the development of a cooperative system of providing books and library service for the various municipalities and counties of the state.
(Acts 1939, No. 171, p. 297; Code 1940, T. 55, §278; Acts 1959, No. 600, p. 1488.)

§41-8-2. Executive board generally.
The Executive Board of the Alabama Public Library Service shall consist of seven members appointed by the Governor, of which one member shall be from each congressional district. Such members shall be qualified electors of the state and shall have resided in the state for five years next preceding their appointment and shall live in the congressional district which he or she represents. Appointments shall be for five years, and all vacancies, including expired and unexpired terms, shall be filled by the Governor by appointment. Provided, however, present members of the executive board shall continue in office until the first expiration of the term of any member, at which time and thereafter each board member shall represent the congressional district in which he or she resides with no two members residing in the same district, and any vacancies, for whatever reason, shall be filled accordingly. Members of the executive board shall be allowed $10.00 per day, not to exceed 20 days per year, plus travel expenses pursuant to Article 2 of Chapter 7 of Title 36. It shall be the duty and power of the executive board to conduct the affairs of the Public Library Service, to administer the funds received from the Treasury that are allocated to the Public Library Service and to be responsible for the program and for such other activities as would naturally be administered by such an executive board.
§41-8-3. Election of officers of executive board; Director of Public Library Service and assistants.

The members of the executive board shall elect from its membership a chairman and vice-chairman. The board shall appoint a director. The director shall be a graduate of an accredited library school who shall have had a minimum of three years of library experience in an administrative capacity or shall be a college graduate with a master's degree with a major in library science who shall have had a minimum of five years of library experience in an administrative capacity. The director shall not be a member of the executive board and shall serve at the pleasure of the board. All other members of the staff of the service shall be appointed by the executive board on the nomination of the director and shall be subject to the provisions of the state Merit System law. The director shall keep a record of the proceedings of the board, shall keep accurate accounts of all financial transactions of the service, shall have charge of its work in organizing new libraries and improving those already established and in general perform such duties as may from time to time be assigned by the executive board.

(Acts 1939, No. 171, p. 297; Code 1940, T. 55, §281; Acts 1959, No. 600, p. 1488.)

§41-8-4. Annual report of executive board to Governor.

The executive board shall make an annual report to the Governor. The report shall show public library conditions and progress in Alabama and a statement of the expenses and activities of the Public Library Service. These annual reports shall be printed as other annual reports of the state departments and shall be distributed by the board or the director thereof.


§41-8-5. Powers and duties of Public Library Service generally.

(a) The Alabama Public Library Service shall give advice to all free public, regional, municipal and county libraries and to all communities in the state which may propose to establish public libraries, in the manner provided in this article, as to the best means of establishing and administering such Public Library Service, selecting and cataloging books and other details of library management and may send any of its staff to aid in organizing such libraries or to assist in the improvement of those already established. The service may advise as to the proper qualifications of librarians of free public, regional, municipal and county libraries and shall perform such other services consistent with and in furtherance of the purpose of this article as shall from time to time appear feasible. Moreover, the service shall advise as to arrangements as provided in Section 11-90-4, by which local governmental agencies may combine in the establishment of joint units of library service. The service may receive and shall administer all funds, books or other property from whatever source, under such conditions as may be deemed necessary in order to carry out the purpose of this article; and, by the use of such means and methods as circumstances warrant, the service may acquire and operate traveling libraries, and circulate or loan such books and libraries among communities, libraries, library associations, social and civic clubs and organizations and other public agencies and
institutions under such conditions and rules as the board deems necessary in order to protect the interests of the state and to increase the efficiency and promote the extension of public library service throughout the state.

(b) The Alabama Public Library Service, through its board, shall have the authority to make exceptions in their criteria for receiving state aid as they relate to educational requirements and hours of operation.


§41-8-6. Scholarships and grants in field of library service.

The Executive Board of the Alabama Public Library Service may, upon such terms and conditions as it may fix, award scholarships or grants in the field of library science on the graduate or undergraduate level to persons of high integrity whom it may select to the extent that funds are available therefore from funds not otherwise obligated which are available to the Alabama Public Library Service in accordance with the state plan provided for by United States Public Law 597, approved June 19, 1965, the "Library Services Act," as now exists or is hereafter amended or replaced.

(Acts 1961, No. 812, p. 1188, §1.)

§41-8-7. Service to obtain reports from public libraries.

The Alabama Public Library Service shall each year obtain from all free public libraries in the State of Alabama reports showing the conditions, growth, development and conduct of said libraries. This provision shall not apply to the libraries of the Supreme Court of Alabama, the Department of Archives and History or school libraries aided and supervised by the Department of Education and the libraries of institutions of higher learning.


§41-8-8. Applicability and effect of article.

This article shall in no way affect the administration and supervision of public school libraries which have been or may hereafter be established by aid through the Department of Education, except by agreement, nor shall this article affect in any way the administration and supervision of public school libraries under the control of any city or county board of education, except by agreement; nor shall it, except by agreement, affect or apply to libraries of institutions of higher learning nor to free public libraries in counties where a city having a population of not less than 65,000 already maintains a free public library.

(Acts 1939, No. 171, p. 297; Code 1940, T. 55, §284.)
§41-8-9. “Registration records” defined.

As used in Section 41-8-10, the term "registration records" includes any information which a library requires a patron to provide in order to become eligible to borrow books and other materials, and the term "circulation records" includes all information which identifies the patrons utilizing particular books and any other library materials in any medium or format.

§41-8-10. Registration, etc., records of public libraries to be confidential; right of parents to inspect records.

It is recognized that public library use by an individual should be of confidential nature. Any other provision of general, special or local law, rule or regulation to the contrary notwithstanding, the registration and circulation records and information concerning the use of the public, public school, college and university libraries of this state shall be confidential. Registration and circulation records shall not be open for inspection by, or otherwise available to, any agency or individual except for the following entities: (a) the library which manages the records; (b) the state education department for a library under its jurisdiction when it is necessary to assure the proper operation of such library; or (c) the state Public Library Service for a library under its jurisdiction when it is necessary to assure the proper operations of such library. Aggregate statistics shown from registration and circulation records, with all personal identification removed, may be released or used by a library for research and planning purposes. Provided however, any parent of a minor child shall have the right to inspect the registration and circulation records of any school or public library that pertain to his or her child.
520-2-2-.01 Purposes. The purposes of state aid funds are to support and improve existing libraries and library systems and to encourage the development of new library programs and services where needed.

Author: Nancy C. Pack, Director

Statutory Authority: Code of Ala. 1975, §§41-8-(1-10).


520-2-2-.02 Definitions.

(1) Public Library: A public library is a library established in accordance with the Code of Alabama for the purpose of providing free public library service to the population in its legal service area. Public libraries may or may not have BRANCHES (auxiliary service outlets with quarters separate from the central library, with no less than a basic collection of materials, a regular staffing level, and an established service schedule, but without a separate policy-making board of trustees). The following are types of public libraries:

(a) Municipal Public Library: A public library established and maintained by a city, town, or other municipality, whose policy-making board of trustees is appointed by the municipal authority.
(b) **County Public Library:** A public library established and maintained by a county for the use of the whole or a part of a county, whose policy-making board is appointed by the county commission.

(c) **City-County Public Library:** A public library established and maintained by joint contractual agreement or joint resolution between county and municipal governments, with a single policy-making board appointed in accordance with the agreements.

(d) **District Library:** A public library serving a taxing district which has been authorized by legislative action and created by majority vote of the residents of the district, whose policy-making board is elected in accordance with the provisions of the legislative action.

(2) **Public Library System:** An organization composed of PUBLIC LIBRARIES and formed for the purpose of providing library services within a framework of written contracts; a public library system may also have contracts with county commissions or municipal governments for the system to provide library services to county or municipal residents who would otherwise be unserved.

(3) **System Headquarters:** A site designated through contractual agreement to serve as administrative center for a PUBLIC LIBRARY SYSTEM. A system headquarters may serve any function established by contract.

(4) **Legal Service Area:** The legal service area of a library is the population within the boundaries of the geographic area the library is established to serve. A library may contract, in writing, to provide service to population outside its legal service area at the discretion of the library board of trustees of the affected areas. The following describe legal service areas of different types of libraries:

   (a) The legal service area of a MUNICIPAL LIBRARY is the area within the municipality's corporate limits.

   (b) The legal service area of a COUNTY LIBRARY is the area within the county’s geographic borders.

   (c) The legal service area of a CITY-COUNTY PUBLIC LIBRARY is all of the area within the corporate limits of participating municipalities and within the county’s geographic borders.

   (d) The legal service area of a PUBLIC LIBRARY SYSTEM consists of the legal service areas of the public libraries belonging to the system and any additional areas(s) for which the system contracts to serve with the appropriate governing body.
(e) The legal service area of a DISTRICT LIBRARY is the area of the taxing district authorized by legislative action and approved by majority vote of the population within the district.

(5) **State Aid:** Funds appropriated by the legislature as a supplement to local funds designated for the provision of library service.

(a) State aid funds are distributed quarterly by the Alabama Public Library Service on a per capita basis for the respective legal service areas and any area served contractually; population figures used are the most recently certified Bureau of the Census population estimates.

(b) Where legal service areas overlap, as in the case where there is both a COUNTY LIBRARY and a MUNICIPAL LIBRARY serving the same population, state aid funds for that part of the population shall be distributed in accordance with the terms of an annually renewed written agreement between the library boards. In order for first quarter funds to be distributed on schedule, a current copy of the agreement must be on file at APLS by October 1. If no contract has been filed with APLS by the beginning of the second quarter, all state aid funds for the county population residing within the municipality will be divided equally between the COUNTY LIBRARY and the MUNICIPAL LIBRARY, with funds for first and second quarters available for distribution during the second quarter and with remaining funds distributed on the regular quarterly schedule.

(6) **Non-Capital Funds:** Non-capital funds are those funds appropriated for normal/routine operations. They do not include funds specifically designated for the acquisition of and/or improvement to real property (buildings, land, etc.).

**Author:** Nancy C. Pack, Director

**Statutory Authority:** Code of Ala. 1975, §§41-8-(1-10).


520-2-2-.03 **Library Establishment, Policy and Service Requirements.**

To qualify for state aid, public libraries (whether or not they are members of systems) and public library systems must comply with the appropriate requirements as follows.

(1) A public library and a public library system must be legally established according to Code of Ala. 1975, §§ 11-90-(1-4). A copy of the ordinance or resolution establishing the public library and copies of public library system contracts must be on file with the Alabama Public Library Service (APLS).
In order to receive state aid, a library board must:

(a) employ a qualified library director;

(b) notify APLS of official board appointments and the terms to be served within 30 days of the appointment;

(c) designate at least two board members to complete APLS trustee training (effective 2021);

(d) meet a minimum of four times a year;

(e) have written bylaws governing its functions;

(f) approve written policies for the public library which cover the following:

1. Library objectives
2. Patrons
3. Personnel, including memberships in professional organizations, attendance at professional meetings, grievance procedures, job descriptions, performance evaluations, etc.
4. Cooperation with other libraries
5. Public relations
6. Materials selection policies
7. Regular services and special services to groups, the handicapped, nonresident borrowers, shut-ins, etc.
8. Overdue fines and other fees and charges
9. Gifts and memorials
10. Physical facilities
11. Other

(g) approve a written five-year, long-range program of public library service which will be reviewed each year and updated as needed. The program should include as a minimum but not limited to:

1. The community’s information needs and services
2. Staff development
3. Collection development
4. Facilities development

5. Technology development

(h) approve a written disaster/emergency plan which will be reviewed each year and updated as needed.

3. All Directors, Board members, and/or designated staff of public libraries must attend at least two APLS-sponsored meetings per year either on-site or by videoconference. Eligible meetings include quarterly Administrators’ Meetings (October, January, April, July) and the Children and Teen Services Annual Conference (i.e. “Summer Reading Kick-off”). Other eligible meetings are at the discretion of the APLS Director.

4. The public library must not deny service to anyone on the basis of age, race, sex or creed.

5. A public library must be open to serve the public at least the specified number of hours per week based on the following scale:

<table>
<thead>
<tr>
<th>MINIMUM HOURS OPEN</th>
<th>POPULATION SERVED</th>
</tr>
</thead>
<tbody>
<tr>
<td>50</td>
<td>over 100,000</td>
</tr>
<tr>
<td>45</td>
<td>50,000 - 99,999</td>
</tr>
<tr>
<td>40</td>
<td>25,000 - 49,999</td>
</tr>
<tr>
<td>30</td>
<td>10,000 - 24,999</td>
</tr>
<tr>
<td>20</td>
<td>5,000 - 9,999</td>
</tr>
<tr>
<td>16</td>
<td>under 5,000</td>
</tr>
</tbody>
</table>

6. If a public library system headquarters provides direct patron services on-site (as opposed to extension services provided off-site), the system headquarters must be open the number of hours required in (5) above, based on the population of the county in which the system headquarters is physically located.

7. Each library must strive to have a well-balanced collection of not less than one volume per capita and not less than 1.5 currently useful items per capita. The term "item" is intended to include print and non-print materials.

Author: Nancy C. Pack, Director
Statutory Authority: Code of Ala. 1975, §§41-8-(1-10).
520-2-2-.04 **Fiscal Requirements.** A public library must have a current budget, and the participants of a public library system must have a cumulative total current budget, based on locally-appropriated non-capital funds, of not less than the amount of state aid for which the library or system is eligible nor less than the previous year's budget. Locally-appropriated non-capital funds may include a combination of municipal or county funds appropriated to the library or system budget and in-kind funds expended directly by local governments for public library services.

(a) If locally-appropriated funds received are not sufficient to match for state aid and/or if the locally-appropriated funds received are reduced from the previous year, the amount of state aid for the current fiscal year will be reduced by an amount equal to the difference between the current locally-appropriated funds received and the average of the locally-appropriated funds received for the previous two (2) fiscal years. [See example below.]

<table>
<thead>
<tr>
<th>SAMPLE PUBLIC LIBRARY (pop. 10,000)</th>
</tr>
</thead>
<tbody>
<tr>
<td>FISCAL YEAR</td>
</tr>
<tr>
<td>2015</td>
</tr>
<tr>
<td>2016</td>
</tr>
<tr>
<td>2015/2016 AVG</td>
</tr>
<tr>
<td>2017</td>
</tr>
</tbody>
</table>

* State aid for 2017 reduced by $1,000 to coincide with the $1,000 reduction between the 2015/2016 local budget average ($19,000) and the 2017 local budget appropriation ($18,000).

(b) A public library system headquarters can qualify for the total state aid amount for which it is eligible even if any county or municipality within the region is unable to match for its share, provided that supplementary local appropriations from other member counties or municipalities are available to match for the necessary amount of state aid. State aid funds received by a system headquarters by this method can only be used in the counties or municipalities providing the supplementary funds.

(c) No more than fifty percent (50%) of a library's state aid funds will be used for salaries during any fiscal year.

(d) No state aid may be used for construction, remodeling or alteration of buildings, or for utilities. If state aid funds are used for a non-allowable expense, such funds must be replaced with local money, or the amount must be returned to APLS.
(2) Where a public library system exists, all state aid funds for libraries or governmental units contracting to participate in the system will be forwarded to the system headquarters, providing that copies of the annually reviewed contracts are sent to APLS prior to receipt of state funding.

(3) State aid funds will be distributed directly to eligible public libraries, which are not in systems.

(4) Changes in the distribution of state aid can only be made at the beginning of the APLS fiscal year and under the following conditions:

(a) A public library that wishes to change its status as a state aid recipient by either joining or withdrawing from a system must file written notification with APLS and the system headquarters by July 1 to ensure provision of state aid by the new fiscal year beginning October 1.

(b) A public library that is not currently receiving state aid, but wishes to do so, must file written notification with APLS, and submit documentation that it meets the requirements of Rule 520-2-2-.03 above, by July 1 in order to receive state aid by October 1.

Author: Nancy C. Pack, Director
Statutory Authority: Code of Ala. 1975, §§41-8-(1-10).

520-2-2-.05 Statement of Fiscal Responsibility Requirement.

(1) All public libraries receiving state aid funds appropriated by the State of Alabama and administered by the Alabama Public Library Service (APLS) in any fiscal year shall, in the first quarter of the subsequent fiscal year, provide to APLS a Statement of Fiscal Responsibility denoting the usage of state aid funds during the most recently completed fiscal year. All public libraries receiving and using state aid funds in a fiscal year, either directly or indirectly, shall comply annually. The form and substance of the Statement of Fiscal Responsibility shall be mandated by APLS and shall be made available to the public libraries of Alabama by APLS.

(2) APLS shall make the Statement of Fiscal Responsibility form available to the public libraries of Alabama on or prior to October 1. In addition to the certification of
receipt and expenditure of state aid, the public library director shall indicate that the funds were utilized in accordance with the public library’s Five-Year Plan of Service on file with APLS. All segments of the form must be completed by the public library and signed by the public library’s Director and notarized.

(3) The financial records of the library and all the financial records of the libraries to which it transfers state aid will be made available upon request from APLS to the Alabama Department of Examiners of Public Accounts and/or the Alabama Public Library Service. The library may be subject to an annual financial review by a licensed public accountant unless APLS requests an audit to be done by the Department of Examiners of Public Accounts. Copies of this document will be forwarded to APLS and the Alabama Department of Examiners of Public Accounts.

(4) APLS shall accept a certified public accountant audit detailing the usage of state aid funds by a public library in lieu of the Statement of Fiscal Responsibility, if the audit is received in the first quarter of the subsequent fiscal year and the audit provides a comparable reporting of the Statement of Fiscal Responsibility.

(5) Failure to comply with these audit requirements for state aid funds shall result in the suspension of further funding of state aid funds to noncompliant public libraries.

Author: Nancy C. Pack, Director

Statutory Authority: Code of Ala. 1975, §§41-8-(1-10).


520-2-2-.06 State Aid Documentation Requirements. All documentation required for the receipt of state aid must be filed with APLS by the deadlines specified below or within 30 days of mailing of forms from APLS. Filing of documentation with APLS after a deadline may result in delay in receipt of state aid funds.
REQUIRED DOCUMENTATION | JULY 1 | OCT. 1 | DEC. 15 | JAN. 1 |
--- | --- | --- | --- | --- |
Notification of change in system membership status | X |  |  |  |
Documentation of new eligibility to receive state aid | X |  |  |  |
Copies of contracts from public library systems | X |  |  |  |
Copies of contracts between county and municipal libraries | X |  |  |  |
State aid application form | X |  |  |  |
[State Aid] Agreement Between the Alabama Public Library Service and Public Libraries |  | X |  |  |
Annual statistical report form |  |  | X |  |
Statement of Fiscal Responsibility |  |  |  | X |

Author: Nancy C. Pack, Director
Statutory Authority: Code of Ala. 1975, §§41-8-(1-10).

520-2-2-.07 Appeal Process.

(1) A public library or public library system that fails to meet any of the Rules and Regulations for State Aid may request special consideration by submitting a state aid appeal form to the APLS Director. Such consideration shall be subject to the approval of the APLS Executive Board following a recommendation by the APLS Director.

Author: Nancy C. Pack, Director
Statutory Authority: Code of Ala. 1975, §§41-8-(1-10).

520-2-2-.08 State Aid Forfeiture.

(1) Due to a breach of the obligation of any public library (independent or system member) to fulfill the requirements of state aid rules and regulations by the time of the beginning of the last
quarterly payment of state aid, said funds appropriated for the use of the library not in compliance shall be forfeited. The forfeiture shall result in the state aid funds being used in statewide support services in accordance with the concept of state aid support.

(2) Any public library not receiving or certified to receive state aid funds two consecutive years shall be removed from the list of eligible recipients for state aid funds. The formerly designated state aid funds of an ineligible public library shall be assigned to another public library of the same geographic county at the discretion of the APLS Director.

Author: Nancy C. Pack, Director

Statutory Authority: Code of Ala. 1975, §§41-8-(1-10).


APLS STATE AID APPEAL FORM

Library Name: ____________________________  Street Address: ____________________________  P.O. Box (if applicable): ____________________________

City and Zip: ____________________________  Phone Number: ____________________________  System Name (if applicable): ____________________________

A.  FISCAL YEAR FOR WHICH A WAIVER IS BEING REQUESTED:

Fiscal Year:

B.  RULE INFORMATION:

State Aid Rule Number: 520-2-2-
(Complete applicable rule number in box provided.)

Reason for non-compliance:
(Give a detailed description for why a waiver is being requested.)

Plans for corrective action:
(Give a detailed description of how the problem will be resolved.)

C.  WAIVERS OF LOCAL APPROPRIATIONS [RULE 520-2-2-.04]:

Previous fiscal year local appropriation: $ ____________________________

Current fiscal year local appropriation: $ ____________________________

Difference: $ ____________________________

__________________________________  ____________________________
Signature of Library Director  Date

MAIL TO: State Aid Appeal; Alabama Public Library Service; 6030 Monticello Drive; Montgomery, AL  36130