

# Wyoming Library Trustees Training Cohort 2021

**Session B – Policy and Fiduciary**

John Chrastka, EveryLibrary Institute  
February 9, 2021



# About this Series

## *Webinar Learning Series - Six Modules and several Coaching Clusters*

Library boards need to be equipped with relevant, actionable, and accurate information, tools, and resources in order to make informed decisions about the financial and policy future of their libraries.

January: Session A – Relationships

**February: Session B – Policy and Fiduciary**

March: Session C – Effective Boards

April, May and June



# Learning Objectives

Participants will be able to evaluate their current intra-board relationships and roles, and their relationships to the director and staff (Session A);

Participants will learn about Wyoming statutes and practices concerning library funding and financing, the law and regulations relevant to governance, and ways to navigate intergovernmental relationships (Session B);

Participants will understand best practices for library boards including agenda development, committee work, and communications; Participants will be able to evaluate policies, understand trends, support ongoing board recruitment, and support a more effective board (Session C).



# Format / Timeline

Six pre-recorded on-demand workshop sessions starting on the 2nd Tuesday of each month.

Live “coaching clusters” will be available on the morning of the 3rd Tuesday, the afternoon of the 3rd Thursday, and the evening of the 4th Wednesday of each month.

*Session B coaching calls: join on either Tues, February 16 at 10am MT; or Thurs, Feb 18 at 3pm MT; or Weds, Feb 24 at 7pm MT.*

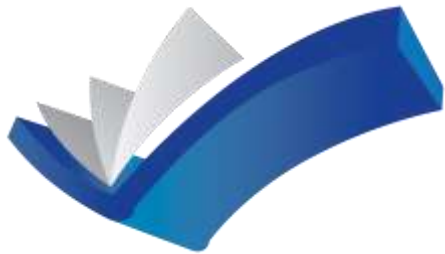
Email [john.chrastka@everylibrary.org](mailto:john.chrastka@everylibrary.org) to join a group call.





## EveryLibrary | 501(c)4 Political Action Committee

- Sponsorships, Government Relations and CSR Funding
- Spend money on “issues” and direct lobbying



## EveryLibrary Institute - 501(c)3 Research and Policy Think Tank

- Grants, Philanthropy, Federal and State Programs, Charitable Funding
- Spend on education and outreach

# About Your Presenter - John Chrastka

John Chrastka - A long-time library trustee, supporter and advocate, John Chrastka is executive director of the EveryLibrary Institute and EveryLibrary. He is a former president of the Board of Trustees for the Berwyn (IL) Public Library (2006 – 2015) and is a former president of the Reaching Across Illinois Libraries System (RAILS), a multi-type library system, and was a board member of the Metropolitan Library System which preceded RAILS. Prior to his work on EveryLibrary, he was a partner in AssociaDirect, a consultancy focused on supporting associations in governance activities, and was Director for Membership Development at the American Library Association (ALA).



# Approach for First Three Sessions

- Session A: Relationships - Inside and Out (January)
- **Session B: Policy and Fiduciary (February)**
- Session C: Effective Boards (March)

Second Half is on “Marketing and Outreach to Build Support” with Patrick “PC” Sweeney



# Today's Format - Session B – Policy and Fiduciary

Two Units (with breaks in between)

- Policy
- Fiduciary

In architecture and design, they say that “*form follows function*”. In policy and financials, it's much the same principle.





# Roles are "Form Follows Function"

Legal Basis for Wyoming Library Boards

Library Law: <https://library.wyo.gov/services/ldo/library-laws/>

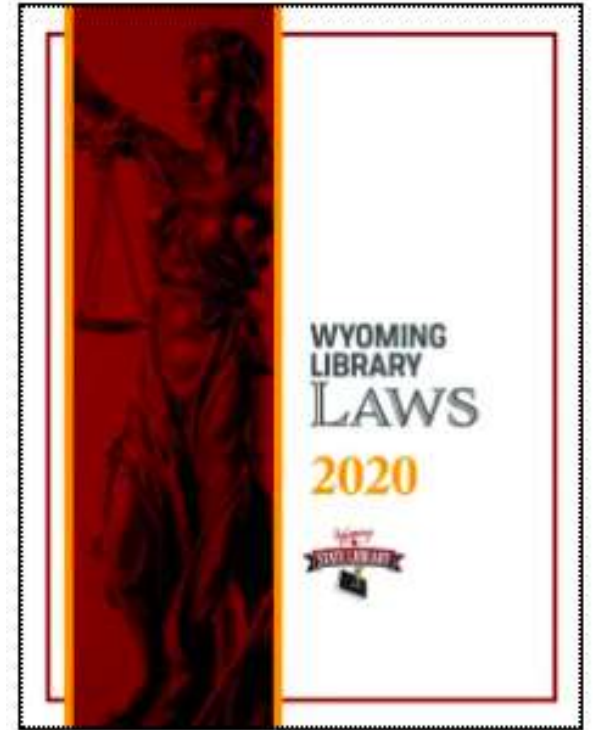
Appointed

Fiduciary

Policy

Buildings

In state statute, the role of the library is  
"informational, educational, cultural and recreational".

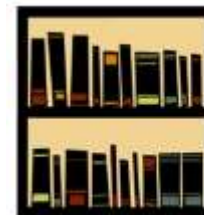


# Handbook for WY Trustees and for Directors

From the Wyoming State Library

Trustees Handbook

<https://library.wyo.gov/services/ldo/boards/>



**Wyoming  
Public Library  
Board Members'  
Handbook**

Directors' Handbook

<https://library.wyo.gov/services/ldo/directors/>



**WYOMING  
PUBLIC LIBRARY  
DIRECTORS'  
HANDBOOK**

# Policy Framework



# Basis in State Law – Policy

In state statute, the role of the library is “informational, educational, cultural and recreational”. The Board is responsible for Money, People, and Buildings:

- “Appoint a competent librarian who with the approval of the board of directors shall appoint a library staff. The duties and compensation of the staff shall be determined by the board.” (18-7-104)
- “Prescribe rules and regulations for the establishment, organization, operation and use of the county library and library system.” (18-7-105)

# Policy and Fiduciary Relationships Within Library

## *Responsibility*

## *Board*

## *Director*

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*General*

Governance

Administration

***Policy***

Adopts

Suggests/Implements

*Meetings*

Discussion and Decisions

Resource and Expertise

***Budget/Finance***

Adopts and Monitors

Prepares, Administers, Monitors

*Staff*

Hires/Fires Director

Interviews, Hires, Evaluates,  
Promotes, Trains

***Operations***

Adopts Policies

Implements/Recommends

*Community*

Communicates/Collaborates

Communicates/Collaborates



# Policy Relationship to County

This page is intentionally blank. Come to a coaching call later this month and we'll chat:

Either Tuesday, February 16 at 12 noon MT  
or Thursday, February 18 at 3pm MT  
or Wednesday, February 24 at 7pm MT

# Operational Policies



# Review - Top-Level Operational Policies

1. Board Itself
2. Staff and Director
3. Volunteers
4. Friends and Foundations
5. Access and Behaviors
6. Cooperation and Planning
7. Financial Policies (in Part 2)



# 1- Board Policies About the Board

- Continuing Body
- Conduct of Board Meetings (next Session)
- Expectations
- Board Ethics or Conflict of Interest
- Process for Removal / Replacement
  - 18-7-103 (c) The county commissioners may remove any director for misconduct or neglect of duty. Vacancies on the board of directors shall be filled by the county commissioners for the balance of the unexpired term created by the vacancy.
- D&O Provisions
  - 18-7-105 (b) Power to sue and be sued; (c) No member of the board of directors is personally liable for any action or procedure of the board.

## 2- Staff Policies

- All Staff
  - Behavior / Code of Conduct – This policy addresses interactions between and among staff as well as between staff and customers. Generally focused on respectful treatment without regard to age, gender, sexual orientation, race, ethnicity, disability, language proficiency, social or economic status.
  - Whistleblower Protections - This policy outlines a procedure for employees to report actions that an employee reasonably believes violates a law or regulation, or that constitutes fraudulent accounting or other practices.
  - Ethics – Usually the ALA Code of Ethics
  - HR Manual

## 2 – Staff Policies

- Director
  - Expectations and Job Description
  - Describe the Annual Review Process
  - Annual Report (Statute 18-7-106)
  - Professionalism and Compartment
  - Conflict of Interest (includes others with purchasing or hire/fire authority)

## 2 – Staff Manual

Attendance/Leave

Code of Conduct

Computer/Internet/Email/Social Media

Continuing Education

Discipline/Termination

Equal Employment Opportunity

Evaluation Procedure

Grievance Procedure

Harassment

Jury Duty

Nepotism

Orientation

Outside Employment

Personnel Records Access

Probationary Period

Recruitment/Hiring

Salary/Benefits

# 3 - Volunteers

- Define Relationships
- Define Appropriate Behavior
- Define and Limit Liability

## 4 – Friends and Foundations

- You may not provide your Friends group or Library Foundation with patron information such as names and addresses.
- Any use of library spaces (front or back room) need to be covered by an MOU or other written agreement.
- Cash handling policies need to be very clear.
- Staff time needs to be very clear and accountable.
- Donors – Privacy laws protect records of library materials contributed by private persons, to the extent of any limitations placed as a condition of the donation.

# 5 – Access and Behavior

- Patron Code of Conduct – provides for safe and appropriate environment within the library that allows all customers to use library facilities to the fullest extent during regularly scheduled hours.
- Insurance - Wyoming Local Government Liability Pool (LGLP)
- Meeting Rooms
- Unaccompanied minors
- Cell phone use
- Emergencies

# 6 - Cooperation and Planning

- Data Collection
- Interlibrary Loan and Resource Sharing
- PR and Marketing
- Partnership Framework
- Crisis Response



# Writing a Policy



# Policy Best Practices

- Policies should be in writing and available online.
- Policies must be enforced. Please do not ignore your policies.
- Orientation, onboarding, and staff training need to include policies.
- HR policies need to be aligned with state law. Have your lawyer review personnel and other behavioral policies.
- Patron policies should provide a method of appeal and escalation.
- Please review policies in a regular and systematic way.
- If a policy no longer seems reasonable, change it or scrap it. Note changes.

# Best-Best Practice

When establishing new policy the board should seek from the director sufficient information to discuss the issue with confidence. This should include:

- A description of the issue that requires policy consideration;
- A list of existing policies related to or affected by the proposed policy;
- A list of the policy options available (including effects of enforcing the policy, legal ramifications, and costs to resources, facilities, and staff);
- A recommendation, accompanied by the justification for changes in any existing policies.

# Mission-Aligned Policies



# Top-Level Mission-Aligned Policies

- A. Patron privacy and Records Retention
- B. Intellectual Freedom and Challenges
- C. Equity, Diversity and Inclusion
- D. Freedom to Read / Freedom to View (ALA)
- E. FOIA and Sunshine Laws (Next Session)

# A - Patron Privacy

- Title 16, Chapter 4, Article 2 – Public Records states that the custodian of the records “shall deny the right of inspection” to library patron transaction and registration records, unless otherwise provided by law.
- Patron records that must be protected include: registration information, checkouts, fines, reference questions, and computer use.
- Library staff should be aware that they cannot divulge any protected patron information and should refer all requests from law enforcement or others to the Library Director, or designee.

# B - Intellectual Freedom

As public officials, Trustees have an obligation to uphold the Constitutional right of free speech.

Board Members have a responsibility to resist censorship of library materials by groups or individuals, regardless of personal feelings and beliefs.

Boards need policies in place to understand and respond to materials and collections challenges.

# C - Equity, Diversity and Inclusion

Wyoming Library Association EDI Statement (Dec 2020)

The Wyoming Library Association acknowledges that systemic racism and discrimination has harmed people in our communities, across our state, our country, and internationally. WLA commits to first looking inward and understanding how we got here and how we perpetuate these systems. With this knowledge, we will dismantle these structures and build equitable, diverse, and inclusive systems.

<https://wyla.org/EDI>



# Comfort, Familiarity, Agreement

- How comfortable are we personally and as a board with these principles?
- How familiar are our county partners with these principles?
- How aligned are we with our community?
- How do we lead and respond to our community?

More discussion on our coaching calls.

# Relevance and Gaps (Form Follows Function)



# Reviewing Policy – Relevance and Gaps

When any existing policy is under evaluation, the board should ask if it is:

- In compliance with all laws and regulations.
- Consistent with the library's mission, goals, and plans.
- Complete, clearly written, and easily understandable.
- In the best interest of the community at large, devoid of politics, prejudice, or favoritism.
- Enforceable without undue burden on the library staff.
- Designed to maximize library services and access for the greatest number of users.

# Additional Policies to Consider

Collection development

Circulation

Library cards

Lending rules

Internet and computer use

Customer service

Collection development

Weeding and removal

Copiers and other in-library tech

Internet use

Computer use

Website and GDPR

Inclement Weather/Closing

(Break... then)  
Fiduciary Framework



# Basis in State Law - Fiduciary

In state statute, the role of the library is “informational, educational, cultural and recreational”. The Board is responsible for Money, People, and Buildings:

- “Control, use and disposition of the county library fund,” budgeting and expending it “for the maintenance, operation and promotion of the county library and county library system in order to carry out the informational, educational, cultural and recreational role of the county library.” (18-7-103)
- “Receive and be responsible for real estate, money or other property to aid the establishment, maintenance or operation of the county library system.” (18-7-104)

# WY Statutes for Library Budgets

Wyoming Statute 16-4-101 discusses how local governments are required to develop, submit and manage budgets within defined parameters and using generally accepted accounting practices. The library budget must conform to the Act by following the hearing, adoption, transfer, purchasing and audit requirements.

Generally categorized as:

- Administration
- Personnel and benefits
- Collection purchases and maintenance
- Programming
- Technology
- Other operating expenditures
- Maintenance
- Capital construction and improvements
- Required cash reserves

# Financial Policies

A. Ethics

B. Bonding

“...good and sufficient Bond for the faithful performance of his duties”

C. Training

“Statutorily, there are no financial training requirements...”

D. Audits and Review

E. Fund Balance and Reserves

F. Grants

G. Donations



# Financial Handbook Topics

Bad Debt and Claims Audit Process

Credit / Debit Card

Emergencies

Friends Group Memo of Understanding

Investments

Inventory/Fixed Assets

Online Banking & Wire Transfers

Petty Cash

Purchasing/Procurement

Signature Authority

Travel & Conference

# Financial Statements and Budgets

- Transparency
- What is on the General Ledger?
- Planning ahead
- Looking back

The values system of an organization and its focus on mission is written in the budget.

Path dependencies are also written into budgets.

# Funding Sources

- Where does money come from?
- How do we get enough of it to run the place?

This will be a focus of our March session.

# Wrap-up and Homework



# Homework

Wyoming Library Law:

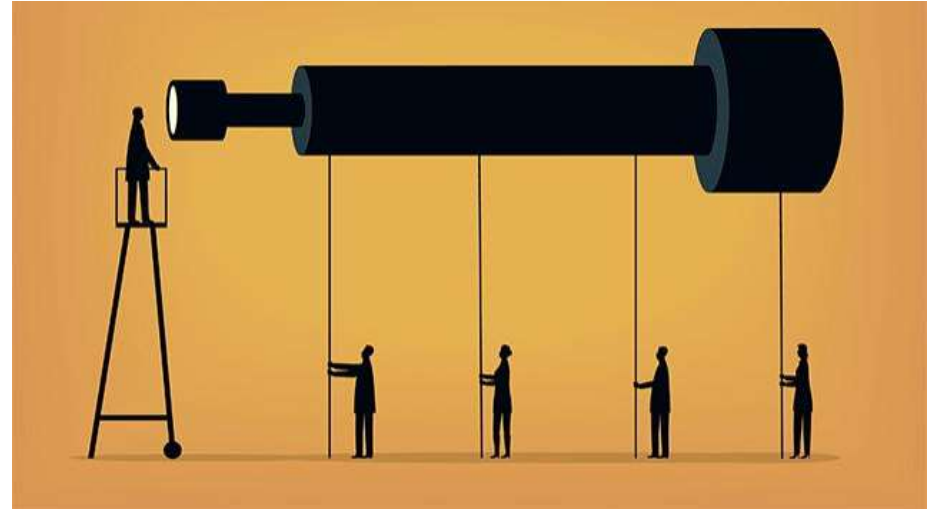
<https://library.wyo.gov/services/ldo/library-laws/>

Trustees Handbook

<https://library.wyo.gov/services/ldo/boards/>

Consider a doing a financial training

Join a coaching call



# WY State Library Resources

101 Things to Know or Do as a Wyoming County Library Board Member

Trustee Trouble: Misadventures of a New Library Board Member

The Outrider, the Wyoming State Library's monthly newsletter

# February Coaching Calls - Session B

Please schedule yourself for ONE of the Session B coaching calls during February:

On either Tuesday, February 16 at 12 noon MT

or Thursday, February 18 at 3pm MT

or Wednesday, February 24 at 7pm MT

To schedule: Email [john.chrastka@everylibrary.org](mailto:john.chrastka@everylibrary.org) with your preferred and second-choice times. He will send you an invitation to confirm. Participation is capped at 15 people per session to allow for interactions, Q&A and sharing. Bring your thoughts, questions, comments and concerns.

John is available to meet with your library board for more one-on-one support and consultations. Please visit his calendar at <https://calendly.com/john-chrastka-everylibrary> to arrange a confidential discussion.

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