

# **BY-LAWS OF THE CAROL STREAM PUBLIC LIBRARY**

## **Article I – Organization**

Section 1. The Carol Stream Public Library was established and is conducted as a Public Library in accordance with the Illinois Local Library Act, Illinois Compiled Statutes, Chapter 75, Act 5, Sections 1-1 et seq., for the use and benefit of the residents of the Village of Carol Stream, DuPage County, Illinois and any annexations thereto.

## **Article II – Mission Statement**

Section 1. Carol Stream Public Library provides the community with exceptional services, enrichment opportunities and diverse resources in a welcoming environment.

(Article II, Section 1 revised in Strategic Plan 12/17/14, approved 3/18/15)

## **Article III – Fiscal Year**

Section 1. The fiscal year of the Carol Stream Public Library shall be consistent with that of the Village of Carol Stream, May 1 through April 30.

## **Article IV – Board Meetings**

Section 1. Public notice of all meetings shall be given in accordance with applicable law, including the Illinois Open Meetings Act and the Local Library Act.

Section 2. The regular monthly meeting of the Board of Library Trustees shall be held on the third Wednesday of each month at 7:00 p.m. at the Carol Stream Public Library, or other suitable public venue as determined by the Board of Trustees. The Board of Library Trustees shall, at the conclusion of the calendar year, approve a schedule of all regular monthly meetings for the succeeding calendar year specifying the time, place and date. If a regularly scheduled meeting should fall on an officially recognized holiday, or if a quorum is not present, the regular monthly meeting shall be held on the following Wednesday of the month at 7:00 p.m. at the Carol Stream Public Library, or other suitable public venue as determined by the Board of Trustees. (Section 2 revised February 15, 2017)

Section 3. Special meetings may be called by the Secretary at the direction of the President, or at the request of four (4) Trustees, for the transaction of business as stated in the call for the meeting. Written notice of special meetings shall be posted 48 hours prior to the meeting pursuant to the Open Meetings Act and delivered to Trustees, either by hand delivery or via email, at least one day immediately preceding the day of the special meeting. Trustees may be given oral notice of a special meeting to be held in case of a stated emergency.

Section 4. The annual meeting shall be held on the regular meeting night during the month of June for the purpose of approving the annual reports.

Section 5. Minutes for all meetings shall be kept, reviewed and retained in accordance with applicable law, including the Open Meetings Act and the Local Records Act.

Section 6. Public participation is welcome at all Board meetings. Members of the audience who wish to address the Board may be recognized by the President to speak on any matter on the agenda under discussion. Each speaker should come forward, identify himself/herself and state his/her address. Unless otherwise specified by the Board, a speaker's presentation should be limited to five minutes.

Section 7. Attendance at Meetings by Electronic Means

A member of the Board shall be considered present at a meeting if attendance at the meeting is through any electronic means that allows the Trustee to hear the proceedings and to be heard by those physically present at the meeting. A Trustee may attend a meeting through electronic means if:

- a. physical absence is necessary due to personal illness or disability; absence from the Village of Carol Stream for personal employment purposes or for Library business; or, family emergency; however, to establish a quorum, the President may waive the need to meet the requirements stated in this subsection (a); and;
- b. the absent Trustee states publicly through electronic means the reason for not being present at the time of roll call;
- c. where practicable, the Trustee notified the Board President of the expected absence and the reason therefore at least 48 hours in advance of the meeting;
- d. no more than one other Trustee intends to attend the meeting by electronic means;
- e. if the Trustee who intends to attend by electronic means is the Board President, he or she vacates the President's chair so that the Vice President may preside;
- f. the Trustee present by electronic means clearly identifies himself or herself each time he or she speaks.

### **Article V – Quorum**

Section 1. A quorum shall consist of four (4) Trustees, and a majority of those present shall determine the vote taken on any question, unless a larger majority is required by law or by these By-laws.

### **Article VI – Manner of Vote**

Section 1. All votes on any question shall be by ayes and nays by the Secretary. Absentees and abstentions from voting shall be noted. The roll shall be called on all questions in reverse order of seniority and alphabetically for those with equal seniority.

### **Article VII – Library Board Members**

Section 1. Members of the Board of Library Trustees are elected at the municipal elections held in April during the odd-numbered years. Upon election, each Trustee shall serve for a term of four years except those elected to fill unexpired terms of previously elected Trustees, who shall serve until the next regularly scheduled election.

Section 2. Vacancies shall be declared in the office of Library Trustee by the Board as described in the Illinois Local Library Act. Absence without cause from all regular Board meetings for a period of one year shall be a basis for declaring a vacancy. Vacancies will be filled through the selection of a candidate by a majority vote of the Board until the next regularly scheduled election, at which time a Trustee shall be elected to fill the vacancy. If the vacancy occurs with less than 28 months left in a term and less than 88 days before the scheduled election, the appointee shall serve the remainder of the unexpired term and no election shall be held. The Board of Library Trustees shall publicize the existence of a vacancy or upcoming election in an effort to secure the most highly qualified applicants and candidates.

Section 3. As provided by statute, Library Trustees shall serve without compensation but shall be reimbursed from Library funds for their actual and necessary expenses incurred in the performance of their duties.

Section 4. All Trustees appointed by the Board must meet standard election requirements.

Section 5. Each Trustee shall file with the County Clerk by April 30 of each year a statement of economic interest.

Section 6. Collectively, the elected and/or appointed members shall constitute and be referred to as the Board of Library Trustees of the Village of Carol Stream.

### **Article VIII – Officers and Their Duties**

Section 1. The officers of the Board of Library Trustees shall be a President, a Vice-President, a Secretary, and a Treasurer.

Section 2. The elections of the President, Secretary, and Treasurer will occur at the May meeting following the biennial election of Trustees. The Library Board Trustee with the most seniority (other than an officer) shall assume the office of Vice-President. Should that Trustee decline the office, the next member with the most seniority shall assume the office of Vice-President, unless that member declines, and so on.

Section 3. Officers shall take office immediately and hold office until the next election and until their successor is chosen and has qualified according to the law. A vacancy in any office shall be filled by the Board for the unexpired term.

Section 4. The President shall be the executive officer of the Board who shall preside at all meetings, authorize calls for any special meetings, execute all documents authorized by the Board, and appoint the chair and all members of committees and liaisons, with the approval of the Board. The President shall not have or exercise veto powers. The President shall be an ex-officio member of all committees and shall perform all other duties as may be assigned by the Board. The President shall be bonded or insured.

Section 5. The Vice-President, in the absence of the President, or in the event of the President's refusal or inability to act, shall be vested with the powers and perform the duties of the President. The Vice-President shall perform all other duties as may be assigned by the Board. The Vice-President shall be bonded or insured.

Section 6. The Secretary shall cause to have issued notices of all regular and special meetings of the Board, shall be responsible for the publishing and/or posting of any notices required by law, and shall cause to have kept true and accurate records which shall include therein a record of the minutes of all meetings, the names of those in attendance, the Resolutions, rules and regulations adopted, and all other pertinent written matter as affect the operation of the Library. The Secretary shall affix the corporate seal of the Library to all documents, the execution of which on behalf of the Library under its seal is duly authorized. In the absence of the President and Vice-President, the Secretary shall call the meeting to order and preside until the immediate election of a President Pro-Tem. In the absence of the Secretary, the President shall appoint a Trustee (other than an officer) to act as Acting Secretary for the meeting. The Secretary shall perform any other duties as may be assigned by the Board.

Section 7. The Treasurer shall cause to be received and safely kept all monies belonging to the Library in depositories approved and designated by the Board, in the name of the Library or in such other investments as may be authorized by law, and shall disburse the same only upon the authority of the Board. S/he shall cause to have prepared a monthly report to the Board of all receipts and disbursements and shall have submitted at the annual meeting of the Board a detailed statement showing all receipts and disbursements during the preceding year. The Treasurer shall cause to have prepared all financial reports required to be submitted to the local,

state or federal governments. Before entering upon his/her duties as Treasurer, the Treasurer shall give a bond with sureties or be insured with approval by the Board. The amount of the bond or insurance shall be based upon a minimum of 50% of the total funds received by the Library in the last previous fiscal year. The Treasurer shall be the Chairman of the Finance Committee. In the absence of the Treasurer or when s/he is unable to serve, the President or Vice-President may perform the duties of the Treasurer. The Treasurer shall perform any other duties as may be assigned by the Board.

(Sections 4,5 of Article VIII revised 10/12)

### **Article IX – Trustees**

Section 1. It shall be the duty of the Trustees to elect by majority vote from their number a President, a Secretary and a Treasurer at the May meeting of odd-numbered years, and to perform his/her duties in accordance with all applicable laws, including the Local Library Act, and in accordance with these by-laws.

### **Article X - Library Director**

Section 1. The Board shall select, appoint, and evaluate a qualified librarian (“Library Director”) who shall serve as chief administrator with full professional responsibility for administering Library policies, personnel recommendations and management, including the hiring of personnel, to obtain Board approval prior to firing any personnel, the development and administration of programs and services, selection of materials according to the Materials Selection Policy, the care and maintenance of Library property, and for the financial operation within the limitations of the budgeted appropriations. The Library Director shall review and revise the Board/Administrative Task/Function Calendar as necessary and at least annually. The Library Director shall serve as custodian of the Library History. The Library Director shall attend all meetings of the Board. The Library Director shall make a monthly report to the Board and submit an annual report at the June meeting.

(Article X, Section 1 revised 3/18/15)

### **Article XI - Hiring of Counsel and Professional Consultants**

Section 1. The President of the Board or the Library Director may request the legal opinions of legal counsel for any matter which comes within the jurisdiction of the Board, and shall report the opinion to the Board.

Section 2. The Board may retain professional consultants as needed.

(Article XI, Section 1. revised 04/15/15)

## Article XII – Committees

Section 1. At the annual meeting of odd-numbered years, the chair and members of all committees shall be appointed by the President with the approval of the Board. Each committee shall consist of three (3) members with the President and Library Director each serving in an ex-officio capacity. Vacancies shall be filled by the President, with the approval of the Board. The term of service should be for two years or until the next organizational meeting of the Board. No Committee will have other than advisory powers. (Section 1 revised 3/18/15)

Section 2. *Standing Committees* shall be appointed by the President for *Finance, Facilities, and Human Resources*.

Section 3. It shall be the duty of the *Finance Committee*:

- a. To formulate, in conjunction with the Library Director, the library budgets, request for tax levy, and relevant documents, and monitor Library financial conditions over the year.
- b. To make recommendations concerning financial policies and the fee schedule.
- c. To evaluate financial conditions of, and makes recommendations for, Library depositories
- d. To recommend investments according to Library investment policy.
- e. To monitor insurance coverage.
- f. To review financial resource goals along with anticipated future income and expenditures and make recommendations to develop methods for acquiring adequate funding.
- g. To recommend and evaluate an auditor and an accounting service.

Section 4. It shall be the duty of the *Facilities Committee*:

- a. To recommend steps to be taken to improve and preserve the facility and grounds.
- b. To make recommendations regarding the acquisition and maintenance of major equipment and contracted services
- c. To review Library plan of service and make recommendations to the Board concerning the maximum use of existing space along with the need for future space expansion.
- d. To work, in conjunction with the Library Director, with architects and/or other construction professionals to facilitate projects in process between regular meetings of the Board.

Section 5. It shall be the duty of the *Human Resources Committee*:

- a. To review Personnel Policy, position descriptions, pay plan and authorization of personnel, and employee benefits and propose changes as needed.
- b. To conduct the annual performance evaluation of the Library Director and report to the Board.
- c. To serve as a Grievance Committee to hear and recommend resolution of any grievances from the Library Director or Staff when referred to the Board according to the guidelines in the Personnel Policy.

(Section 5 revised 3/18/15)

Trustees in the capacity of trust upon them, shall observe ethical standards with absolute truth, integrity, and honor.

Trustees must avoid situations in which personal interests might be served or financial benefits gained at the expense of Library users, colleagues, or the situation.

It is incumbent upon any Trustee to disqualify himself/herself immediately whenever the appearance of a conflict of interest exists.

Trustees must distinguish clearly in their actions and statements between their personal philosophies and attitudes and those of the institution, acknowledging the formal position of the Board even if they personally disagree.

A Trustee must respect the confidential nature of Library business while being aware of and in compliance with applicable laws governing freedom of information.

Trustees must be prepared to support to the fullest the efforts of librarians in resisting censorship of library materials by groups or individuals.

Trustees who accept Library Board responsibilities are expected to perform all of the functions of Library Trustees.

Section 2. The Board is also bound by the conditions set forth in Library Resolution #221 Implementing the State Officials and Employees Ethics Act for the Carol Stream Public Library.

### **Article XVII - Membership in the Regional Library System**

Section 1. The Carol Stream Public Library shall be a member of a Regional Library System and shall support the goals of such System not inconsistent with the goals of the Library.

Section 2. The President shall appoint a Liaison to the Regional Library System. This Liaison shall attend the annual meeting of the System to vote on the Library's behalf.

Section 3. The Board of Library Trustees may nominate one of its members to run for a position on the Board of Directors of the Regional Library System upon availability of such a position and the eligibility of the Trustee to serve.

#### **Article XVIII – Amendments**

Section 1. These By-Laws may be amended at any regular meeting of the Board by a unanimous vote of all members of the Board of Library Trustees.

Section 2. These By-Laws may be amended at any regular meeting by a two-thirds vote of Board membership present, provided that the amendment has been submitted in writing at the previous regular meeting.

Section 3. These By-Laws may be rescinded and new By-laws adopted, at any regular meeting by a two-thirds vote of the Board membership present, provided that written notice of the proposed rescission and adoption of new by-laws has been presented at the previous regular meeting.

Section 4. The By-laws adopted by the Board and all amendments thereto shall be consistent with the Local Library Act and all applicable laws.

#### **Article XIX – Order of Business**

Section 1. The order of business for regular meetings shall include, but not be limited to, the following items which shall be covered in the sequence shown so far as circumstances will permit:

- a. Call to Order and Pledge of Allegiance to the Flag
- b. Roll Call
- c. Public Participation
- d. Adoption of Consent Agenda
- e. Approval of Minutes
- f. Monthly Report of the Treasurer
- g. Committee Reports
  1. Standing Committees
  2. Special Committees
  3. Liaison Reports
- h. Unfinished Business
- i. New Business
- j. Executive Session
- k. Disbursements, including an Addendum Warrant of Bills
- l. Reports of the Library Director and Staff
- m. Communications and Announcements
- n. Adjournment



**Article XX – Rules of Order**

Section 1. The rules contained in *Robert's Rules of Order*, latest version, shall govern the Board of Library Trustees in all cases to which they are applicable and in which they are consistent with these By-Laws.

**Article XXI - When By-Laws Take Effect**

Section 1. These By-Laws shall be in full force and effect from and after their passage.

Changes to Article IV, Section 2 passed this **fifteenth day of February, 2017** by a vote of:

Ayes:   6   Nays:   0   Absent or not voting:   1  

Approved:

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Edward Jourdan, President  
Board of Library Trustees

Attest:

I, the undersigned Secretary of the Board of Library Trustees of the Village of Carol Stream, hereby state that the foregoing By-Laws of the Carol Stream Public Library was duly adopted by said Board of Trustees at a valid meeting on February 13, 2017

Seal:

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Nadia Sheikh, Secretary  
Board of Library Trustees

- Amended November 6, 1986
- Amended December 16, 1992
- Amended January 20, 1999
- Amended December 15, 1999
- Amended March 17, 2004
- Amended September 21, 2005
- Amended September 19, 2007
- Amended October 20, 2010
- Amended September 19, 2012
- Amended March 18, 2015
- Amended April 15, 2015
- Amended February 15, 2017