

ROCK HILL PUBLIC LIBRARY REVISED BYLAWS

PREAMBLE

The bylaws of the Rock Hill Public Library Board of Trustees (the "Board") are written under the authority of the Revised Statutes of the State of Missouri, Sections 182.200 et al. The free public library of the city of Rock Hill was organized as the Rock Hill Public Library (the "Library") under those statutes in 1947.

MISSION

The mission of the Rock Hill Public Library is to provide quality materials, programming and services which fulfill educational, informational, cultural and recreational needs of the entire community in an atmosphere that is welcoming, respectful and businesslike.

ARTICLE I

BOARD OF TRUSTEES. The Library shall be governed by a Board of Rock Hill citizens, who shall oversee and maintain the control, direction, and management of the Library, its finances and its resources for the residents of the City of Rock Hill. The Board shall be appointed by the Mayor of the City of Rock Hill and the Board of Alderman, per recommendation from the existing Library Board with reference to their fitness for office. No member of the city government shall be a member of the board. RSMO §182.170.

COMPOSITION. The Board shall consist of nine (9) members who shall be known as Trustees. There shall also be an ex-officio staff member to serve as liaison to the Board. The control, direction and management of the Rock Hill Public Library and the finances thereof shall be by the Library Board.

TERM OF OFFICE. Each Trustee shall serve for a term of three (3) years. Three members shall be appointed every year and shall serve on a rotating basis. No member of the Board shall serve for more than three (3) successive terms and shall not be eligible for further appointment until two (2) years after the expiration of the third term.

VACANCIES. Vacancies on the Board occasioned by removals, resignations or otherwise, shall be reported to the Board of Alderman of the City of Rock Hill. Appointments to the unexpired term shall be made for only the unexpired portion of that term and in the same manner as the original appointments.

REMOVAL. Unexcused absences from Board meetings in excess of the number listed in these Bylaws shall be just cause for removal. A Board Trustee may be removed for cause if, upon investigation by a special committee, such removal is recommended and approved by a two-thirds vote of the appointed Board.

SIGNATORIES. In the absence of the Rock Hill Public Library Board President, the Rock Hill Public Library Board Secretary/Treasurer may sign any documents as are required to be signed by the Board President.

In the absence of the Rock Hill Public Library Board Secretary/Treasurer, the Rock Hill Public Library Board President may sign any documents as are required to be signed by the Board Secretary/Treasurer.

ARTICLE II

NOMINATIONS. The Board shall nominate from their number a President, a Vice-President, a Secretary and a Treasurer by the February Board meeting.

ELECTIONS. At the March meeting Board Trustees shall elect officers to serve a term of one year to coincide with the Library fiscal year. Election shall be by a majority vote of the Trustees present and voting.

DUTIES OF THE PRESIDENT. The President shall preside at all meetings of the Board, authorize calls for any special meetings, preserve order in accordance with accepted parliamentary rules, appoint all committees, execute all documents authorized by the board, serve as an ex-officio voting member of all committees, supervise and evaluate the work of the Library Director, and generally perform all duties associated with that office.

DUTIES OF THE VICE-PRESIDENT. The Vice-President shall, in the absence of the President, assume all of the duties of the President and shall perform such other duties as may be assigned by the President or the Board.

DUTIES OF THE SECRETARY. The Secretary shall record attendance and take accurate and true minutes of all Board meetings, conduct correspondence as the Board may direct, send Board recommendations for prospective Trustees to the City of Rock Hill, maintain the historical records of any Bylaw changes that may be enacted, and any additional duties as they may be assigned by the President or the Board. The Secretary shall transfer ownership of all documents, minutes, and correspondence to the Library Director upon the end of their term.

It shall be the duty of the Secretary to certify to the Board the non-attendance of any Board member for two meetings during their term and the dates of non-attendance. Further action due to nonattendance shall be by order of the Board.

DUTIES OF THE TREASURER. It shall be the duty of the Treasurer to supervise the maintenance of proper financial records of the Library, review and sign all monthly bills, review monthly bank statements, insure that an annual audit is completed in a timely manner, serve in the role of the Bond Officer as needed, and perform other duties as are generally associated with that office. The Treasurer shall reserve the right to refuse approval of any expenditures not made in compliance with the Library's financial policies.

It shall be the responsibility of the Treasurer to serve as the contact person for staff, volunteers, patrons and Trustees who may have concerns about any of the Library's accounting, internal accounting controls, auditing matters or fraudulent or dishonest use or misuse of the Library's resources or property.

The Treasurer will be responsible for forwarding any complaints to the Board, which will then meet to review the complaint without Library staff or outside audit personnel present unless requested. Final disposition of any complaints shall be the responsibility of the Board.

ARTICLE III

REGULAR MEETINGS. The Regular Meetings of the Board shall be a Public Meeting and shall be held as scheduled at the Rock Hill Public Library. By resolution, the Board may reschedule or cancel any regular meeting.

SPECIAL MEETING. The President may call a Special Meeting on his/her own authority or at the request of three (3) Trustees. Written notice of the meeting must be given to each trustee in advance and state the purpose of such meeting. The President shall direct that a public notice be posted to advise the date, time and purpose of such special meeting. Attendance at a meeting constitutes a waiver of any lack of proper notice of such meeting unless such attendance is solely for the purpose of contesting the holding of the meeting on the basis of lack of proper notice.

CONDUCT OF MEETINGS. All meetings shall be conducted according to Roberts Rules of Order.

QUORUM. The attendance of five (5) Trustees shall constitute a quorum to conduct business of the Board.

ATTENDANCE. In accordance with State Statutes, any member of the Board who shall miss two (2) meetings in one (1) year, three (3) meetings in two years or four (4) meetings in three (3) years, without just cause, shall be subject to removal from the Board.

NOTICE. At least 24 hours (exclusive of weekends and holidays when the Library is closed) prior to the meeting, a notice of the meeting is to be prominently posted in the Library. The notice must include: the time, date and place of the meeting; whether the meeting is open or closed; if open, a tentative agenda of the meeting. If exceptional circumstances prevent 24 hours notice or prevent the meeting from being held at a convenient time or in a place reasonably accessible to the public, the reasons should be stated in the minutes.

CLOSED MEETINGS. In certain circumstances specifically set out in the statutes, the Board is permitted, but not required, to close its meetings, records and votes. Among the exceptions to the open meeting requirement are: legal actions, litigation, leases, purchase or sale of real estate where public knowledge might adversely affect the transaction, hiring, firing, employee discipline, individual promotions, welfare cases of identifiable individuals, software codes for data processing, individually identifiable personnel records and records that are protected from disclosure by other laws. When the Board votes to meet in closed session, it should cite a specific section of the law for taking such action. Only that topic can be discussed during the closed session.

PUBLIC ACCESS. Unless otherwise provided by law, records of the Board meetings are open and available to the public for inspection and copying. A reasonable fee may be charged for providing access to, or providing copies of, such records. The fee is not to exceed actual cost of the document search and duplication. The Library Director is the appointed custodian of the Board's records.

Any request for access must be acted on no later than the end of the third business day following the date the request is received by the Library Director, or as provided by statute. If access is not granted, the Library Director, upon request, is to provide a written statement explaining why such access was denied.

Nonexempt portions of the Board's records must be separated from the exempt portions and made available to the public.

CLOSED RECORDS.

The following provisions shall govern the handling and designation of closed records of the Rock Hill Public Library and the Board of Trustees:

1. To the extent not otherwise required by law, closed records of the Rock Hill Public Library and the Board of Trustees shall not be made public or disclosed to the public without the specific authorization of the Board of Trustees.

2. As used in this section, unless the context otherwise indicates, the following terms mean:
 - a. "Record", any record, whether written or electronically stored, retained by or of the Rock Hill Public Library or its Board of Trustees, including any report, survey, memorandum, or other document or study prepared and presented to the Rock Hill Public Library or its Board of Trustees by a consultant or other professional service.
 - b. "Closed Record", any of the following classes or types of records:
 - i. Any record whose disclosure to the public is prohibited by law such as tax returns, mental health treatment records, genetic information, adoption records and other similar personal records;
 - ii. Any record whose disclosure to the public is not required by law and which relates to one or more of the conditions as set forth in the Revised Statutes of the State of Missouri, Sections 610.021 et al.
 - iii. Any other record that the Board of Trustees shall designate as a closed record to the extent that such designation is permitted by law.
3. Notwithstanding the provisions of this section, a closed record may be disclosed in compliance with a lawful court order or duly issued subpoena duce tecum, but only to the extent reasonably necessary to comply with such court order or subpoena.
4. To the extent not otherwise prohibited by law, on a case-by-case basis, the Board of Trustees may authorize the public disclosure of any record of the Rock Hill Public Library or its Board of Trustees.
5. In the case of closed records relating to a given individual, unless specifically prohibited, disclosure of said record to the individual or the guardian or authorized representative of said individual, if of age, or the parent or guardian of said individual, if a minor, is authorized upon receipt of a written request.

ARTICLE IV

FISCAL YEAR. The fiscal year of the Rock Hill Public Library Board shall begin on April first and end on March thirty-first.

BUDGET. The Board shall adopt an annual balanced budget for the ensuing fiscal year by the March Board meeting. Expenditures shall be made only in accordance therewith, except as amended by the Board.

ARTICLE V

OPERATIONS

BOARD POWERS. The Board of Trustees shall have the power to purchase or lease grounds; to occupy, lease or erect an appropriate building or buildings for the use of said library; and shall have the power to appoint a Library Director and fix their compensation.

The Board shall require the Library Director to create an annual report to be presented to the Board on or before the September meeting. A copy shall be sent to the State Library.

The Board shall require an annual audit of the library to be completed and submitted to the appropriate state agencies no later than August 31. A copy will be included in the annual report mentioned above.

The Board shall have such other and further powers, rights and privileges as provided by statute, and reserves the right to adopt any rules in order to facilitate the smooth operations of the Library

and to serve the best interests of the citizens of Rock Hill.

LIBRARY DIRECTOR. The Library director shall be appointed by the Board. The Director shall be responsible for implementing and administering the policies and procedures adopted by the Board under its review and direction.

The Director shall have full charge of managing the operations of the Library, including direct charge of all personnel matters, including hiring and discharge.

The Director shall attend all Regular Board meetings and shall advise the Board on decisions affecting staff and physical plant. The Director shall consult with the standing committees and officers when necessary.

The Director shall serve as the appointed custodian of records for the Library and the Board.

The Director shall oversee the annual audit and shall submit an annual report on the State of the Library at the September meeting of the Board.

The Director shall perform such other duties as may be requested by the Board.

INDEMNIFICATION. The Library shall indemnify each of its Trustees, against all reasonable expenses actually and necessarily incurred in connection with the defense of any litigation to which a Trustee may have been made a party because of their position on the Board. Trustees shall have no right to reimbursement, however, in relation to matters as to which they have been adjudged liable to the Board for misconduct in the performance of duties.

The right to indemnify for expenses shall also apply to expenses for suits which are compromised or settled.

The Board may, at its discretion, authorize the purchase of a policy or policies of insurance against liability of the Board to indemnify any person pursuant to this clause, which shall contain such terms and conditions as the Board may deem appropriate to the extent and in the manner permitted by law.

ARTICLE VI

RULES, REGULATIONS AND AMENDMENTS

ESTABLISHMENT. The Board shall propose and approve all rules and policies governing the general conduct of the Library, its premises, patrons and staff. An official copy of the rules and policies shall be maintained by the Library Director with an additional copy kept in the records of the Board Secretary. The rules and regulations shall be reviewed by the Board at least once each year and updated, if necessary.

AMENDMENTS. The Bylaws may be amended by the majority vote of all members of the Board provided written notice of the proposed amendment shall have been presented at the Board's prior monthly meeting at which such action is proposed to be taken.

Other Policies of the Library may be amended by a majority vote of the Board who are in attendance at any regular meeting, or at a special meeting called for that purpose.

Any rule or resolution of the Board, whether contained in these Bylaws or otherwise, may be

suspended temporarily in connection with business at hand. Such suspension, to be valid, may be taken only at a meeting at which at least 5 of the members of the Board shall be present and a majority of those present shall so approve.

DISSOLUTION. Upon dissolution of the Rock Hill Public Library, assets shall be distributed for one or more exempt purposes within the means of Section 501 (c) 3 of the Internal Revenue Code, or a corresponding section of any future federal tax code, or shall be distributed to the federal, state, or local government for a public purpose.

RECORD OF REVISIONS:

Adopted by the Rock Hill Library Board of Trustees
April 18, 2011
Amended on September 10, 2012
Amended on September 9, 2013
Amended October 19, 2015
Amended January 18, 2016
Amended May 16, 2016
Amended July 2017
Amended October 16, 2017
Amended April 11, 2022

Appendix A: Twelve Month Board Deadlines

April

- Evaluation of Director
- Begin Audit Process

May

- Personnel Policies and Regulations Review

June

- Committee Reviews

July — No Meeting

August — No Meeting

September

- Presentation and Approval of Audit
- Library Director's Annual Report

October

- Review and Approval Tax Rates

November

December — No Meeting

January

February

- Budget Presentation
- Nomination of Officers

March

- Budget Approval
- Election of Officers

Appendix B: Rock Hill Public Library Board of Trustees Ethics Statement

Rock Hill Public Library is dependent on the trust of its community to successfully achieve its mission. Therefore, it is crucial that all members of Rock Hill Public Library Board of Trustees (“Trustees”) conduct business on behalf of the Rock Hill Public Library with the highest level of integrity in order to avoid any impropriety or the appearance of impropriety.

Guiding Principles:

- Trustees should uphold the integrity of the Rock Hill Public Library and should perform their duties impartially and diligently.
- Trustees should not engage in discrimination of any kind including that based on race, class, ethnicity, religion, sex, sexual orientation, disability or belief system.
- Trustees must protect and uphold library patrons’ right to privacy in their use of the library’s resources.
- Trustees should avoid situations in which their personal interests, activities or financial affairs are, or are likely to be perceived as being in conflict with the best interests of the Rock Hill Public Library. Trustees should disqualify themselves immediately whenever the appearance of a conflict of interest exists.
- Trustees should not knowingly act in any way that would reasonably be expected to create an impression among the public that they are engaged in conduct that violates their duties as Trustee.
- Trustees should not use or attempt to use their position with the Rock Hill Public Library to obtain unwarranted privileges or advantages for themselves or others.
- Trustees should not be swayed by partisan interests, public pressure, or fear of criticism.
- Trustees should 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.
- Trustees should not denigrate the organization or fellow Board members or employees in any public arena.
- Trustees shall comply with all relevant Missouri Statutes governing ethics and conflicts of interest, which generally provide that Trustees will not receive any compensation nor participate in any decisions or actions which will result in a financial gain to themselves, a business with which they are associated, or their spouse or dependent children. See Mo. Rev. Stat. § 105.452, § 105.454 and § 182.190.

Therefore: To preserve and uphold The Rock Hill Public Library’s reputation as an organization of the highest integrity, each Board member will sign an “Ethics Statement” at the beginning of each year of their service during their tenure with the Rock Hill Public Library agreeing to uphold the following Code of Ethics of the Rock Hill Public Library and to follow the “Guiding Principles.”

Code of Ethics of the Rock Hill Public Library*

As Trustees, we recognize the importance of codifying and making known to the general public the ethical principles that guide the work of librarians, other professionals providing information services, library trustees and library staff.

Ethical dilemmas occur when values are in conflict. The Rock Hill Public Library Code of Ethics states the values to which we are committed, and embodies the ethical responsibilities of the profession in this changing information environment.

We significantly influence or control the selection, organization, preservation, and dissemination of

information. In a political system grounded in an informed citizenry, we are part of a profession explicitly committed to intellectual freedom and the freedom of access to information. We have a special obligation to ensure the free flow of information and ideas to present and future generations.

The principles of this Code are expressed in broad statements to guide ethical decision making. These statements provide a framework; they cannot and do not dictate conduct to cover particular situations.

We agree to use our best efforts to:

1. provide the highest level of service to all library users through appropriate and usefully organized resources; equitable service policies; equitable access; and accurate, unbiased, and courteous responses to all requests.
2. uphold the principles of intellectual freedom and resist all efforts to censor library resources.
3. protect each library user’s right to privacy and confidentiality with respect to information sought or received and resources consulted, borrowed, acquired or transmitted.
4. respect intellectual property rights and advocate balance between the interests of information users and rights holders.
5. treat colleagues and staff members with respect, fairness, and good faith, and advocate conditions of employment that safeguard the rights and welfare of all employees.
6. not advance private interests at the expense of library users or colleagues.
7. distinguish between our personal convictions and professional duties and do not allow our personal beliefs to interfere with fair representation of the aims of our library or the provision of access to our information resources.
8. strive for excellence in the profession by maintaining and enhancing our own knowledge and skills and by encouraging the professional development of colleagues and staff members.
9. affirm the inherent dignity and rights of every person; work to recognize and dismantle systemic and individual biases; confront inequity and oppression; enhance diversity and inclusion; and advance racial and social justice in our library and community through awareness, advocacy, education, collaboration, services, and allocation of resources and spaces.

Compliance: If any Board member or the Library Director appears to be in conflict of the “Guiding Principals” or the “Code of Ethics of the Rock Hill Public Library,” he or she will be asked to meet with the Board to discuss the issue. The Board will make a recommendation based on its findings.

I agree to uphold the Code of Ethics of the Rock Hill Public Library and to follow the “Guiding Principles” of the Rock Hill Public Library Ethics Policy.

_____ (Signature)

_____ (Print Name)

_____ (Date)

To be filled out by every new employee and Board of Trustee member, and signed again each year at the beginning of the calendar year.

*per the ALA Code of Ethics