

NH  
Library Trustee Association

## NH Library Trustee Orientation

Presented by

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## Discussion Topics

1. NH Laws Relative to Public Libraries
2. Library Trustee Job Description
3. Establishing Library Policies
4. The Trustee as Library Advocate
5. Financial Responsibilities of Trustees
6. Trustee Meetings and Right to Know Law
7. Personnel Responsibilities

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## NH Laws Relating to Public Libraries

RSA = NH Revised Statutes Annotated

- RSA 202-A = Public Libraries
- RSA 201-D:11 = Library User Confidentiality
- RSA 91-A = Right to Know Law governing public meetings
- RSA 32 = Municipal Budget Law
- Case Law (Taylor decision: Library staff are not town employees)
- The local library's bylaws and policies

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## Responsibilities of a Trustee

- Trustee Responsibilities are defined by laws of N.H.
- Trustees have three principal responsibilities
  - ✓ To write the policies that govern the library
  - ✓ To ensure that the library is sufficiently funded
  - ✓ To appoint/hire and oversee a library director

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## Four Tests of a Legal and Enforceable Policy

1. It must comply with current statutes and court cases.
2. It must be reasonable (and all penalties must be reasonable).
3. It must be clear (not ambiguous or vague).
4. It must be applied without discrimination.

*Review policies and update on a regular basis; provide time for board review and updates at board meetings.*

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## What Is Library Advocacy?

- **Advocacy** is the act of supporting, educating, or recommending for a cause, idea or policy.
- Advocating for a library includes:
  - ✓ educating the public and policymakers about the current and evolving roles and values of libraries
  - ✓ promoting library programs, and
  - ✓ seeking adequate financial support.

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## Trustees' Financial Duties

### 202-A:11 Powers and Duties

- Prepare an annual budget
- Identify what support is needed from public funds
- Submit budget to Selectboard, Town Council, City Council, etc.
- A separate budget request is required for new construction, capital improvements

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## Advocating for Your Budget

- Present the budget in the context of the library's mission, goals, objectives.
- Share statistics on circulation, programs, collection—opportunity to educate the public!
- Know what share of the town budget the library represents.
- Know what the library costs taxpayers annually.
  - ✓ Pennies on the tax rate
  - ✓ Dollars per capita or per average household

***The Library is one of the best deals in Town!***

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## Financial Procedures/Policies

- Adopt procedures for the management of funds
- Sample topics for financial procedures & policies:
  - ✓ Investment & trust funds
  - ✓ Payroll
  - ✓ Purchasing – who writes the checks, use of credit or debit card, when to go out to bid, etc.
  - ✓ Director's authority to over-spend (transfer from line to line) without prior trustee approval

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## Board of Trustees Meetings

- Meetings: monthly & concise. Must be posted. Remote?
- Send out agenda and routine reports at least several days ahead.
- Stick to the agenda.
- Role of alternate trustees.
- Address new and ongoing business of the library.
  - Review finance, fundraising, and director's reports.
  - Review library policies, update, and approve them on a regularly scheduled basis.
- Chair is in charge! Robert's Rules or Alice Sturgis Standard Code of Parliamentary Procedure provide guidance for an orderly meeting.

***See NHLTA "Resources" webpage for samples.***

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## RSA 91-A. The Right to Know Law

- Meetings must be open to the public.
- Meetings must be posted in 2 places at least 24 hours prior to the meeting. Library website can be one of the places.
- Minutes must be kept, and draft minutes must be *available* to the public not more than 5 business days after the meeting. Remember to include the names of those who made and seconded motions in the minutes.
- Serial communications may not be used to contravene the spirit of the law. *NO deliberations or decisions via email, other than setting meeting dates.*

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## Procedures for Non-Public Sessions

- Must go into non-public from a noticed public meeting
- Must state the reason for going into non-public
- Majority roll call taken
- Once in non-public, trustees may discuss only the topic for non-public; no other business can be discussed
- Must take minutes
- May vote to seal the minutes at end of non-public session; otherwise they are available to the public within 72 hrs.
- Exit non-public, then regular meeting resumes

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## Personnel Responsibilities

1. Trustee and Staff Roles
2. Job Descriptions
3. Hiring and Appointing the Library Director
4. Evaluation of the Director's Performance
5. Disciplinary Actions, Removal of Staff

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## Hiring a Library Director

**RSA 202-A:15 Public Librarian; Qualification and Tenure**  
 "The librarian **shall be appointed** by the board of library trustees for a term of office agreed to at the time of employment and until a successor is appointed and qualified."

- Protects the library director from arbitrary termination.
- Protects the library from an extended term of unsatisfactory performance.
- Renewal is a mutual decision of the Board and the Librarian.

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## Letter of Appointment for the Library Director

The letter of appointment/hire should contain:

- Term of appointment (date of hire and length of initial commitment) agreed to by the library director
- Compensation/salary
- Basic benefits (health insurance, paid leave) as described in personnel policies
- Hours of work (# of hours/week)
- Job description (attachment to letter)

*Have an attorney check the letter before finalizing it.*

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## Removal of Staff

**RSA 202-A:17 Employees; Removal**  
 "No employee of a public library shall be discharged or removed from office except by the board of trustees for malfeasance, misfeasance, or inefficiency in office, or incapacity or unfitness to perform the employee's duties."

- The library staff are NOT "at will" employees.
- Notice and the opportunity for a public hearing must be provided. (Public hearing is the choice of the employee.)

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## Tips and Tools

Check the NHLTA website for sample forms including

- Job descriptions
- Evaluation forms
- Job posting for Library Director
- Hiring Checklist

Attend NHLTA workshops and regional meetings

Visit the NH State Library website for more samples  
 Look for "services for librarians/employment resources"  
<https://www.nh.gov/nhsl/services/librarians/employment.html>

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## NHLTA Resources

- NHLTA Board Members (contact info on website)
- NHLTA Conferences, Workshops, Regional Meetings
- 2021 Trustee Manual (updated every 5 years)  
 one copy mailed to each library, available on NHLTA website
- NHLTA Newsletter – published quarterly
- NHLTA Web Site : [www.NHLTA.org](http://www.NHLTA.org)
- LISTSERV: join listserv via link on Home Page  
 to post a message, send email to  
[NHLTA-L@maillist2.nh.gov](mailto:NHLTA-L@maillist2.nh.gov)

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