



Trustee Update

Library News You Can Use

Public library trustees evaluating . . . themselves

As a public library trustee, you're accustomed to evaluating all sorts of things—from the library's budget to the condition of the library's parking lot. But how often do you stop and evaluate the job that you're doing on your public library board?

As a trustee, you have either been appointed or elected to serve your local community by being part of your library board. It is an important job and one that requires a great deal of dedication—and ongoing education.

Using a self-evaluation check list

Library board options for investment of gifts and bequests

By **Mark Arend**, Assistant Director
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Wisconsin law gives a library board a wide range of authority to “supervise the administration of the library.” One of these powers deals with library funds. Funds received from your municipality, county, or other tax-derived sources must be held by your municipality to be disbursed as the library board directs.

In the case of gifts, donations, and bequests however, the library board may maintain *custody* of the funds as well as *control* of them. A new law signed by



can be a very effective tool for library boards. Evaluating how you're doing as a public library trustee doesn't mean finding fault—it's just an effective way of finding out what additional information/training/resources are needed for each trustee to do the best job possible.

There are several self-evaluation tools available for public library trustees and we've added links to some of them on our SCLS website (www.scls.info, under “Library Management”, then select “Library Trustees”). We've also created an example of a self-evaluation checklist based upon *Trustee Essentials*, our Wisconsin handbook for public library trustees. ♦

Reviewing your meeting room policy

Paul Nelson's posting on his “Retiring Guy's Digest” blog (paulsnewline.blogspot.com) about the Seaside [Oregon] Public Library being ordered to pay \$10,500 (plus court and attorney fees) because their library meeting room policy prohibited religious meetings should be a reminder to public library boards that library policies need regular and careful review. As our society changes and evolves, so do our public libraries—and policies need to reflect that change and evolution.

When it comes to a library meeting room policy (and other policies), here are two excellent resources that will assist your library director and board:

- ✓ **Trustee Essential 22, “Freedom of Expression and Inquiry”** (dpi.wi.gov/pld/te22.html)—includes a discussion of the 2000 federal court ruling that library meeting rooms function as a “designated public forum.” According to the ruling: “It may be that the exclusion of partisan political meetings and religious services or instruction is based on the Library's desire to avoid controversy. However, the avoidance of controversy is not a valid ground for restricting speech in a public forum.”
- ✓ **Wisconsin Public Library Policy Resources** (dpi.wi.gov/pld/policies.html)—sample policies and links to various online policies from Wisconsin libraries. ♦

Managing bequests & gifts—*from page 1*

Gov. Walker in March gives library boards an additional option for handling these funds.

Prior to this change in law, libraries had four choices for handling gifts, donations, and bequests. They could be deposited with:

- ✓ the treasurer of the municipality to hold on the library's behalf;
- ✓ a public depository as defined under Chapter 34 of Statutes. Generally this would be a bank, savings & loan, or the Wisconsin Local Government Investment Pool (LGIP);
- ✓ a 501(c)(3) organization that has as its purpose supporting the library. Examples might be your Friends of the Library

- ✓ or a Library Foundation; or
- ✓ the board's financial secretary for investment. If this option is chosen the financial secretary must be elected annually by the board and must be bonded. Statutes give options for how the financial secretary may invest the funds.

Act 163 allows the library board to transfer the gift or bequest to a community foundation. This is something that many libraries have wanted.

This law attaches several stipulations to this transfer, which also apply to transfers of funds to other organizations such as Friends. First, there must be a written agreement between the library board and the Friends or community foundation that funds will only be disbursed on the written authorization of the board and that the board will retain control over the manner in which the money is used. The law also requires that use of the funds must be consistent with the intent of the donor of the gift or bequest. ❖



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