

Massachusetts Libraries

BOARD OF LIBRARY COMMISSIONERS

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THE COMMONWEALTH OF MASSACHUSETTS

BOARD OF LIBRARY COMMISSIONERS

BYLAWS

ARTICLE I.

ORGANIZATION AND FUNCTIONS OF THE BOARD OF LIBRARY COMMISSIONERS

Section 1.1 Composition and Functions

The composition, functions and responsibilities of the Board of Library Commissioners shall be as provided and authorized by the General Laws and the Acts of the General Court of the Commonwealth of Massachusetts.

Section 1.2 Officers

(I.) The officers of the Board of Library Commissioners shall be a Chair, a Vice-Chair, and a Secretary. The officers shall be eligible for election to two successive one-year terms in any particular office; and after a period of one year, may be eligible for election to one or more similar two-terms in this same office under the same provisions.

The Chair, Vice-Chair, and Secretary shall be elected by the Board of Library Commissioners at the first regular meeting of the Board of the new fiscal year, which is usually held in July (see Section 2.1). They shall hold office until the first regular meeting of the Board of the next fiscal year and until their respective successors are elected.

Said officers shall constitute the Executive Committee of the Board of Library Commissioners (ARTICLE III., Section 3.1).

(II.) The Director of the agency, with such staff assistance as necessary, shall carry out the duties as provided in Section 1.7.

Section 1.3 Election of Officers

(I.) At the last meeting of the fiscal year, which is usually in June, the Chair will appoint a nominating committee that will consist of the Secretary and two non-officer Board members.

Bylaws - Board of Library Commissioners
December 2, 2021

(II.) The nominating committee will nominate a slate of officers to be voted on at the first regular meeting of the new fiscal year. During the election, the Chair will also give the opportunity for nominations (including self-nominations) to be made from the floor.

Section 1.4 Duties of the Chair.

(I.) To serve as presiding member at all meetings of the Board of Library Commissioners and of the Executive Committee.

(II.) To call special meetings of the Board of Library Commissioners and of the Executive Committee.

(III.) To serve ex officio as a member of all committees of the Board of Library Commissioners.

Section 1.5 Duties of the Vice-Chair.

To perform the duties of the Chair of the Board of Library Commissioners at the Chair's request or in the case of the Chair's absence.

Section 1.6 Duties of the Secretary.

To verify and sign Board minutes and any other documents requiring the signature of the Secretary of the Board, and to record the proceedings of the Board in Executive Session.

Section 1.7 Duties of the Director in Relation to Board Meetings.

(I.) To give written public notice of all regular and special meetings of the Board of Library Commissioners and of all committees of the Board and to compile and distribute the agenda. The Director shall include with the agenda or supply to members of the Board not fewer than five (5) business days before the meeting such historical and other information in respect to each agenda item requiring a Board vote as may be reasonably necessary for Board members to understand the ramifications of such agenda item. Such information shall include the views of the Director and the staff as well as those of other members of the library community and shall be succinctly summarized. On occasion when time does not permit such information to be prepared in full before a meeting, a summary thereof may be included in the information sent out before the meeting and oral and/or written reports may be presented at the meeting.

(II.) To record the proceedings of the Board of Library Commissioners and of each of its committees.

(III.) To preserve the minutes and all documents determined by the Board of Library Commissioners to be part of its official records.

(IV.) To conduct correspondence as directed by the Board of Library Commissioners to certify official documents and proceedings.

Section 1.8 Authorization of Signing Contracts and Agreements.

Pursuant either to State Law or to authorization by the Board of Library Commissioners, the Director shall execute and deliver contracts and other agreements, otherwise the Chair or Vice-Chair of the Board of Library Commissioners are authorized and directed to execute and deliver, all in the name and behalf of the Board of Library Commissioners, contracts and other agreements; and the execution by the Director or the Chair or the Vice-Chair of said contracts and other agreements shall be conclusive evidence of their approval by the Board of Library Commissioners and the same, and the execution and delivery thereof, are duly authorized.

ARTICLE II. MEETINGS.

Section 2.1 Regular Meetings.

Regular meetings shall be held on the first Thursday of each month unless the Board otherwise determines. The time and place of such meetings shall be fixed by the Chair, in consultation with the other members of the Executive Committee.

Section 2.2 Special Meetings.

Special meetings of the Board of Library Commissioners may be held at any time and place in the Commonwealth of Massachusetts. Special meetings may be called by the Chair or by any three members of the Board of Library Commissioners through a written communication to the Director stating the time, place and purpose of the meetings and received by the Director at least five (5) business days prior to the date fixed for the meeting.

Section 2.3 Notice of Meetings.

Written public notice of each regular meeting of the Board of Library Commissioners including the agenda thereof shall be distributed at least seven (7) days prior to the date fixed for the meeting and shall state the time and place of the meeting. Notice of special meetings shall be given to Board Members at least five (5) days prior to the date fixed for the meeting. The notice shall state the purpose for which the special meeting has been called.

Section 2.4 Agenda.

A written agenda of matters to be considered at each regular or special meeting, as compiled by the Director and approved by the Chair, shall be distributed to each Board member. An agenda must be supplied to the members of the Board not fewer than five (5) business days before the meeting. Items to be included in the agenda for the regular meeting shall be submitted to the

Director in writing. Such agenda shall include the following matters:

(I.) Written reports of committees of the Board of Library Commissioners.

(II.) Matters suggested by any Board member and given to the Director at least seven (7) business days prior to the date of the meeting at which consideration is desired and containing a title and description of the agenda item.

(III.) Any matter suggested by any other person who wishes to present pertinent matters to the Board. Individuals who wish to present a matter for action shall make specific requests in writing to the Director at least fifteen (15) days in advance of the next regular Board meeting. Individuals who wish to address the Board for other matters are requested to inform the Director at any time prior to the Board meeting.

(IV.) Any subject not on the agenda proposed for Board action, and for which there is consensus further study is desired (other than a motion that has been made and seconded) shall be held over for consideration at a future meeting, unless emergency action is deemed necessary by a majority of the Board.

Section 2.5 Other Business.

Discussion of topics not reasonably anticipated by the Chair at least forty-eight (48) hours before meetings.

Section 2.6 Procedure on Policy Changes.

Matters involving new or changed policy or exceptions to policy shall not be voted until having been considered in at least two (2) successive meetings. The applicability of this section to any issue shall be determined by the Chair.

The Board shall review all policies at least once every five (5) years and such policies shall become null and void unless acted upon by vote of the Board every five (5) years.

Section 2.7 Quorum.

A majority of members of the Board of Library Commissioners shall constitute a quorum for the transaction of business. When a quorum is present at any meeting, a majority of the members present may take any action on behalf of the Board, except that the affirmative vote of the majority of the entire Board is required for the appointment or removal of the agency's Director.

Section 2.8 Open Meetings and Regulatory Hearings.

The meetings of the Board of Library Commissioners, including regulatory hearings, shall conform to the provisions of the Massachusetts General Laws regarding open meetings, M.G.L.

Bylaws - Board of Library Commissioners
December 2, 2021

c.30A, §20, and all relevant Massachusetts laws.

Section 2.9 Attendance at Board Meetings.

Members are expected to attend regularly scheduled Board meetings. Failure of any Board member to attend four (4) such consecutive meetings without just cause shall be reason for notification of same to the appointing authority, the Governor of the Commonwealth, of such absences upon a majority vote of the Board. A copy of the notification will be sent to the Board member in question.

ARTICLE III. COMMITTEES.

Section 3.1 Committees of the Board.

The officers of the Board, as provided for in Section 1.2, (I.), shall comprise the Executive Committee of the Board, and they shall meet at such times and for such purposes as may be deemed necessary by the Chair, or as may be determined by majority vote of the Board. Under Massachusetts Law G.L.c.39, sec.23B, any subcommittee meeting at which a quorum is required in order to make a decision (with certain exceptions such as simply reviewing a meeting agenda) is construed to be an open meeting, for which minutes must be kept. Therefore, the Chair shall include in the Chair's Report at the next full meeting of the Board a report on all such Executive Committee meetings. The Executive Committee shall take no action binding upon the Board unless authority to so act has been authorized previously, and for specific purposes by the Board.

The Chair may, or as may be required by a vote of the Board, appoint committees from the membership of the Board, that the Chair or the Board deems necessary. Each such committee shall be automatically discharged upon completion of its assignment.

The Chair shall be a member ex officio of each committee.

Temporary work assignment of a functional or project nature may be made by the Chair to individual members of the Board. Each such assignment shall terminate upon report to the Board.

Section 3.2 Committees of non-Board Members.

(I.) The Board may from time to time authorize committees, as it deems necessary, composed in whole or in part of non-Board members.

(II.) The Director shall make recommendations to the Board as to the composition of such committees. Such recommendations shall include persons of varying perspectives with regard to the subject to be considered by the committee. Other recommendations may be made by the Board members or any other interested persons. All such appointments shall be made by vote of the Board.

Bylaws - Board of Library Commissioners
December 2, 2021

(III.) Advice submitted to the Board by such committees may be accepted or rejected in whole or in part by the Board. The Board's responsibilities require it to consider the quality, availability, equity, and cost-effectiveness of library services throughout the Commonwealth.

ARTICLE IV. AMENDMENT.

These bylaws, adopted by the Board of Library Commissioners, may be amended or repealed, and new bylaws may be adopted, by vote at the meeting of the Board for the purpose and the notice of which shall have specified the subject matter of the proposed addition, amendment or repeal.

Robert's Rules of Order, current edition, shall govern in all matters not covered by these bylaws.

Approved by vote of the Board of Library Commissioners on January 17, 1978.

Amended by vote of the Board of Library Commissioners on February 15, 1979; October 22, 1981; May 13, 1982; June 10, 1982; June 5, 1986; June 5, 1991; February 9, 1995; February 1, 1996; September 10, 1998; January 14, 1998; and December 2, 2021.