

GORHAM FREE LIBRARY
POLICY AND PROCEDURES MANUAL

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GORHAM FREE LIBRARY MISSION STATEMENT

The Gorham Free Library is committed to serving as a center of learning and development for community members of all ages.

The object of the Gorham Free Library shall be to promote and encourage the development and maintenance of library services for free public use to the inhabitants of its chartered geographical service area which includes the Marcus Whitman School District community.

Last Updated and Approved January 2017

The American Library Association affirms that all libraries are forums for information and ideas, and that the following basic policies should guide their services.

1. Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation.
2. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.
3. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.
4. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.
5. A person's right to use a library should not be denied or abridged because of origin, age, background, or views.
6. Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.

Adopted June 19, 1939, by the ALA Council; amended October 14, 1944; June 18, 1948; February 2, 1961; June 27, 1967; January 23, 1980; inclusion of "age" reaffirmed January 23, 1996.

Code of Ethics of the American Library Association

As members of the American Library Association, we recognize the importance of codifying and making known to the profession and to the general public the ethical principles that guide the work of librarians, other professionals providing information services, library trustees and library staffs.

Ethical dilemmas occur when values are in conflict. The American Library Association 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 members 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.

1. We 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. We uphold the principles of intellectual freedom and resist all efforts to censor library resources.
3. We 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. We respect intellectual property rights and advocate balance between the interests of information users and rights holders.
5. We treat co-workers and other colleagues with respect, fairness, and good faith, and advocate conditions of employment that safeguard the rights and welfare of all employees of our institutions.
6. We do not advance private interests at the expense of library users, colleagues, or our employing institutions.
7. We 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 institutions or the provision of access to their information resources.
8. We strive for excellence in the profession by maintaining and enhancing our own knowledge and skills, by encouraging the professional development of co-workers, and by fostering the aspirations of potential members of the profession.

Adopted at the 1939 Midwinter Meeting by the ALA Council; amended June 30, 1981; June 28, 1995; and January 22, 2008.

LAST REVIEWED APRIL 2017

1030

CONFIDENTIAL RECORDS OF THE GORHAM FREE LIBRARY

1. All circulation records are considered confidential in nature.
2. All librarians and library employees will be advised that such records shall not be made available to any agency of Federal, State or Local Government except pursuant to such process, order or subpoena as may be authorized under the authority of, as pursuant to, Federal, State or Local Law relating to civil, criminal, or administrative discovery procedures or legislative investigatory power.
3. The librarian shall resist issuance or enforcement of any such process, order or subpoena until such time as the proper showing of good cause has been made in a court of competent jurisdiction, with the option of appeals residing with the Board of Trustees.

STATEMENT OF PURPOSE

Library staff members are crucial to the mission of the library. A positive climate for staff achievement is necessary. The purpose of this document is to establish uniform rules, policies and fringe benefits for the library employees.

EQUAL EMPLOYMENT OPPORTUNITY

The Gorham Free Library is an equal opportunity employer and does not discriminate against current or prospective staff members because of race, color, creed, religion, sex, national origin, age or handicap. In all instances the Library Board will seek to employ the most qualified individual.

The Gorham Free Library supports New York State and Federal laws prohibiting discrimination on the basis of race, ethnic identification, religion, age, sex, marital status or non-job related disability. In compliance with provisions of the American Disabilities Act, the library will try to accommodate handicapped employees in whatever ways are practical, in relation to space and equipment needs at the employee's work location. Requests for this type of assistance may be made to the Director and will be determined by the Director in consultation with the Board of Trustees.

Last Updated and Approved 6/2017

WORKING ENVIRONMENT

2010

Smoking:

Because research shows that breathing secondhand smoke is a significant health hazard for non-smokers, and that it is in the best interests of the people of this state to protect nonsmokers from involuntary exposure to secondhand tobacco smoke in various indoor areas, including places of employment. Article 13-E of the Public Health Law, as added by Chapter 244 of the Laws of 1988, requires each employer to adopt and implement a written smoking policy. The Gorham Free Library is a smoke-free workplace. Absolutely no smoking is permitted in the building or on the grounds of the library.

Substance Abuse:

It is the policy of the Gorham Free Library to maintain a work environment free from substance abuse. This protects the safety of the public with whom we interact and the employees with whom we work. The unlawful use, possession, distribution, manufacture, or sale of a controlled substance by an employee at the library during work hours, or while the employee is on duty, or on official library business is prohibited. Any employee with an alcohol/substance abuse problem is urged to seek help, obtain information regarding available treatment programs, and develop a plan of action for dealing

with his/her substance abuse problem. Employees may use physician-prescribed medications, provided that the use of such drugs does not adversely affect job performance or the safety of the employee or other individuals in the workplace. Employees violating this policy or failing to seek assistance will be subject to disciplinary action by the Board of Trustees up to, and including, discharge.

Workplace Violence:

The library reserves the right to take action to protect the safety and welfare of its patrons and employees. In the event that a staff member or patron of the library is engaged in disruptive or illegal activity, becomes abusive, either verbally threatening another or physically harming them, or behaves in a manner that causes alarm and fear to others, that person will be asked to leave the premises. Persons disobeying the reasonable direction of library staff members may also be asked to leave the library premises. Depending upon the seriousness of the behavior law enforcement may be contacted. If such measures are taken by any staff member, an incident report must be filled out, and the director should be notified. Should the incident warrant police involvement the board president shall also be notified and additional measures may be taken to ensure the safety of the staff and library patrons.

Harassment:

Harassment of any type including sexual harassment of one employee by another employee, supervisor, or third party is against library policy and is unlawful under state and federal law.

Harassing behaviors may include: slurs, epithets, threats, derogatory comments or visual depictions, unwelcome jokes or teasing, unwelcome sexual advances, requests for sexual favors and/or verbal or physical conduct of a sexual nature including, but not limited to: sexually-related drawings, pictures, jokes, teasing, uninvited touching or other sexually-related behaviors. Harassing behaviors may also be directed at one's age, race, creed, color, national origin, gender, disability, genetic predisposition or carrier status, veteran status, or marital status.

Harassment will not be tolerated. Violators of this policy may receive disciplinary action up to, and including, discharge. There will be no adverse action taken against employees who, in good faith, report violations of this policy or participate in the investigation of such violations. All complaints will be promptly and thoroughly investigated.

1. Any employee or third party (i.e. patron) who believes that (s)he is a victim of harassment, or is being retaliated against for making a complaint of harassment, should report the act immediately to the Library Director. If such person prefers not to discuss the issue with the Director, or if it is a complaint against the Director, such person may contact the President of the Board of Trustees who shall convene a meeting of the board.
2. The Gorham Free Library will investigate every reported incident of harassment immediately, and if law enforcement agencies need to be contacted, the Gorham Free Library will do so. Any employee, or agent of the library, who has been found to have violated this policy may be subject to appropriate disciplinary action, up to and including immediate discharge.
3. The Gorham Free Library will conduct all investigations in as confidential a manner as possible. We recognize that every investigation requires a determination based on all the facts in the matter. We also recognize the serious impact a false accusation can have. We trust that employees will continue to act responsibly in this area of conduct.

4. The reporting person, and any person(s) participating in any investigation under this policy, has the Gorham Free Library's assurance that no reprisals will be taken as a result of a good faith complaint of harassment. It is our policy to encourage appropriate discussion of the matter, and to help protect others from being subjected to similar inappropriate behavior.

5. It is also our policy to require all class of employees to undergo sexual harassment trainings annually, to be provided by the employer or other contracted agency. These trainings will adhere to the NYS Minimum Standards and will cover explanations of harassment, examples of inappropriate conduct, and avenues for reporting.

New York State Labor Law requires all employers to adopt a sexual harassment prevention policy that includes a complaint form for employees to report alleged incidents of sexual harassment.

If you believe that you have been subjected to sexual or other forms of workplace harassment, you are encouraged to complete this form and submit it to the Library Director or Board President. Once you submit this form, The Gorham Free Library will follow its policy and investigate any claims, as outlined in our Sexual Harassment and Prevention Policy. You will not be retaliated against for filing a complaint.

If you are more comfortable reporting verbally or in another manner, the Gorham Free Library will still follow its policy and procedures in investigation of your claim.

Gorham Free Library Harassment Complaint Form

Name: _____ Date: _____

Your Position or Title _____ Manager Name: _____

Phone Number _____ Email Address _____

Name of Accused: _____ Accused's Position/Department: _____

Accused's Relationship to you: Supervisor Subordinate Co-Worker Other

Complaint Information

1. Please describe what happened and how it is affecting your work. Please use additional sheets of paper if necessary and attach any relevant documents or evidence.

2. Date(s) Harassment Occurred: _____ 3. Is the harrasign behavior ongoing? Y___ N___

4. Please list the name(s) and contact information of any witness(es) or individual(s) that may have information related to your complaint.

WORK RELATED COMPLAINT

It is important to attempt to resolve differences or difficulties at the complaint level before they develop into grievances that could be harmful to morale. A staff member who believes (s)he has a grievance shall first discuss the matter personally with the Library Director after the occurrence of the matter which gave rise to the appeal. It shall be the objective of both parties to resolve this matter in an informal way.

In the event the grievance is not settled in this informal manner, the aggrieved staff member shall be required to make a written statement to the Library Board President within five (5) working days after the discussion with the Library Director.

The Library Board will investigate all aspects of the matter and render a decision within twelve (12) working days after receiving the sworn statement of the staff member's grievance. A written response to the staff member will serve as official notification of the Library Board's decision. The Library Board is the final authority.

NON-WORK RELATED COMPLAINT

Complaints brought against employees for non-work related conduct shall not be investigated. If a complaint does not allege a job related connection, the investigation must be terminated.

PERSONNEL FILES

All employees shall have the opportunity to review their personnel file which is maintained by the Library Director, in the presence of a Library Board member or the Library Director. This file shall contain their personnel application, evaluation, and all letters of commendation, reprimands, suspensions, and all actions which have taken place during employment with the employer.

The Library Director shall have the opportunity to review his/her personnel file which is maintained by the Board of Trustees in the presence of a Library Board member. The Board of Trustees will conduct an annual performance review of the Library Director at their annual Budget Meeting in November, which will then be typed and added to the Library Director's personnel file.

Last Updated and Approved 2/2018

EMPLOYMENT DEFINITION

2030

Full Time: An employee who works regularly 30 or more hours per week which have been approved by the Board of Trustees.

Part Time: These employees fall into two categories - those who work regularly 20 or more hours but less than 30 hours per week, and those who work regularly less than 20 hours per week.

Probationary: All employees serve a probationary period for the initial six (6) months of employment.

Permanent: Permanent status begins following a successful six (6) months probationary period for all employees hired in other than temporary job slots.

Temporary: An employee hired for less than 90 days in a given calendar year and/or an employee who fills a position vacated by a leave of absence for a period generally up to one (1) year.

ATTENDANCE

The normal workweek is Monday thru Sunday. The library hours are:

Monday	noon- 6 pm
Tuesday	2 pm- 8 pm
Wednesday	9 am- 5 pm
Thursday	2 pm- 8 pm
Friday	noon- 6 pm
Saturday	9 am- 1 pm
Sunday	2 pm - 4 pm

We are closed on the following days: Easter, Memorial Day, July 4th, Labor Day, Thanksgiving, the day after Thanksgiving, Christmas Eve, Christmas Day, New Year's Eve, and New Year's Day.

All employees responsible for opening the library during their shift are required to report to work 15 minutes before their scheduled start time, unless they have notified the director or another staff person. Employees arriving as relief or second shift will be required to arrive 5 - 10 minutes before the start of their shift.

Any tardiness that is not excused shall be regarded as a violation of these rules. An employee tardy three (3) times shall be subject to a written warning. Continued unexcused tardiness may be considered as grounds for dismissal.

Last Updated and Approved 12/2019.

DRESS CODE

2040

The library is a public service agency and each staff member is a representative of the library conveying much to the public by their attire. A staff person who is groomed and dressed appropriately indicates care for the position they hold at the library, the employer and most importantly, the people who use the library. Staff members are therefore expected to dress appropriately and maintain a pleasant and courteous manner toward the public and toward other staff members.

Library clerks working directly with the patrons must be perceived as professional, well-trained and competent. Clerks represent the library to the taxpayers that use the library. In order to ensure the public's confidence in the staff member's ability to give knowledgeable service in a business-like manner, a certain style of dress should be worn.

"Business casual" is appropriate dress for any clerk directly serving patrons. Appropriate attire for female staff members includes skirts, dresses, dress shorts that fall just above the knee, shirts, pants or slacks, shirts and sweaters. For male staff members, appropriate attire includes dress pants or slacks, dress shorts that fall just above the knee, shirts and sweaters.

Clothing not allowed:

- tee shirts/sweatshirts with sayings or logos
- athletic shorts
- sweat pants
- revealing clothing
- clothes with holes or frayed areas
- clothes that are visibly soiled

Last Updated and Approved 11/2017

RECRUITMENT, APPOINTMENT, JOB PERFORMANCE, RESIGNATION/RETIREMENT**VACANCIES**

Positions for which there are vacancies will be as widely publicized as is practical or will be filled from within the current staff.

Qualified applicants who appear to best match the job requirements will be invited for an interview. Part of the interview will include a review of the job description. Applicants for a given position may be required to take a test appropriate to the job requirements. Information regarding previous employment will be verified.

After all interviews for the position are conducted, any and all applicants may be rejected. Otherwise the library will offer the position to the qualified applicant who best matches the job requirements. The rate of pay will be confirmed at the time the job offer is made.

APPOINTMENTS

The Director will hire staff and the Board of Trustees will approve hirings. The Director will be hired by the Board of Trustees of the Gorham Free Library.

NEPOTISM

Employment of members of the immediate families of the Library Board members and library personnel is permitted with prior approval, if deemed necessary by the Library Board.

PROBATIONARY PERIOD

A six month probationary period is part of the selection process. During the probationary period, new employees will be observed as to their abilities on the job and how well they work with other people. After a successful/positive evaluation at the end of the probationary period appointments will become permanent. A similar period of evaluation will follow reassignment to a new title.

EVALUATION

All employees will be subjected to periodic review. The Director will evaluate performance based on the staff member's primary job responsibilities and upon factors universal for every staff member. Such factors include: communication with the public, working with others, creativity, attendance, initiative, work attitude, organization and planning of work.

The instrument used in performance evaluation will be devised by the Library Director.

The Board of Trustees is responsible for evaluating the performance of the Library Director using an instrument mutually agreed upon by the Board and the Director.

REDUCTION IN STAFF AND HOURS

In the event reductions in staff or scheduled staff hours are necessary, the library will give advance warning to employees in writing of any necessary reductions that may come as a result of funding cuts or unexpected budgetary expenditures.

Seniority and job performance will be taken into account when reductions are necessary.

RESIGNATION AND RETIREMENT

If an employee plans to resign or retire, four (4) weeks notice is requested of the Director and two(2) weeks notice is requested of other staff.

TERMINATION

Grounds for dismissal shall be as follows:

1. Misconduct on the job
2. Inefficiency on the job
3. Failure to perform on the job
4. Failure to comply with the provisions of the personnel manual

If the Library Director considers a staff member's performance unsatisfactory, he/she will warn the staff member, pointing out where improvement is necessary and suggesting ways in which the staff member may improve. The Director will make the

staff member aware that lack of satisfactory improvement over the following two weeks will be grounds for immediate dismissal. The President of the Board should be notified immediately if a staff member is given two weeks to improve. After a two-week period if there has not been satisfactory improvement, the Director shall give the staff member notice of immediate dismissal in writing. If the Board of Trustees considers a Director's performance unsatisfactory the same course of action will be taken as noted above, but the Director will be given four weeks to improve his/her work performance.

If the staff member or Director wishes a hearing, a request must be made within seven (7) days of receipt of the dismissal notice. A hearing before the Board and the Director, or the Board, will then be scheduled with at least fourteen (14) days of elapsed time between the dismissal notice and such hearing. If the decision that follows is one of dismissal, the staff member's or Director's termination date will be recorded as that date on which the original dismissal notice was given. If the staff member or Director is cleared and/or reinstated by the hearing, the original dismissal notice will be considered a suspension for cause and restitution of any unpaid salary will be made.

In cases where continued employment would be seriously detrimental to the staff member or the library, there is no need for a two week improvement period. The Director or the Board of Trustees may affect an instant dismissal with the letter of notification to be a formality following the action.

BENEFITS UPON LEAVING

Any unused vacation will be reimbursed.

Last Updated and Approved 12/18

Payroll Procedures:

All employees must provide the Director with a copy of a valid photo Id, completed W4 and I9 Forms as well and any additional forms as needed. Payroll deductions will be calculated by the organization's contracted payroll company in compliance with all applicable state and federal laws. Furthermore, as required by law, the employer pays the employer's portion of Social Security and employees pay the balance according to the legal rate assessed for their salary.

Employees are responsible for maintaining their timesheet and acknowledging its accuracy with their signature at the end of each pay period. Employees will be paid via check on a bi-weekly basis.

The Director is responsible for submitting the necessary paperwork to the payroll company in order for salaries to be calculated and payments to be disbursed.

Salary and Wage Rates:

The Library Director will be salaried at a rate determined by the Board of Trustees. Other Staff members will be paid an hourly rate. The starting wage for a Part Time Library Clerk is set yearly in compliance with The Minimum Wage Act (Art. 19 of the New York State Labor Law). Higher rates may be established commensurate with previous experience in clerical or library related fields; furthermore, a wage increase may be given each year dependent on satisfactory performance of duties, increases in individual responsibilities, and available funding. The salaries for all employees shall be reviewed by the Board of Trustees when developing the annual operating budget of the library.

All employees covering another staff member's shift will be compensated at their standard rate. Time worked in excess of a staff member's typical schedule may be compensated at the board's discretion.

Training and Travel Compensation:

The Library Board recognizes the value of training and educational programs in improving staff performance. In order to encourage such training, the library will pay registration fees and expenses incurred by staff members to attend approved workshops, seminars and conferences, within the staff development and travel budget lines. Work time will be credited for the time in training and attending.

*Registration and expenses which exceed the staff development budget line must be approved by the Board of Trustees prior to registration in order to be reimbursed. Staff members who use their personal vehicle for attendance at meetings or staff training opportunities shall receive mileage reimbursement at the rate set annually by the Pioneer Library Board for their reimbursement to member libraries in the travel grant, or by the

Library Board of Trustees via a mileage claim form submitted to the board quarterly using the IRS Standard Mileage Reimbursement Rate.

Closings, Holidays, Leave Categories, Sick Days, Vacations, and Worker's Compensation

Closings:

Unless otherwise decided, the Gorham Free Library will be closed when the Marcus Whitman School District closes for weather related issues. In the case of other weather related issues, the Director or Board President can approve closings. Other closings due to emergencies or maintenance issues will be left to the discretion of the Director and the Board of Trustees.

If the library is closed for a short time (2 consecutive days of regularly scheduled operation or more) due to maintenance, weather conditions or other emergencies, all full-time and part-time staff members scheduled to work will be compensated as if they had worked. Compensation for longer periods of closing will be considered on a case by case basis by the Board of Trustees.

Holidays:

The library will be closed in observance of the following holidays: New Year's Eve, New Year's Day, Easter Sunday, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, The Day after Thanksgiving, Christmas Eve, and Christmas Day. All employees shall be paid when any these holidays fall within their regularly scheduled hours.

Bereavement Leave:

A full time or part time employee who has a death in the immediate family (spouse, parents, children, step-children, sister, brother, grandchildren, parents-in-law, grandparents, son-in-law, daughter-in-law, or other relative who is an actual member of the employee's household) shall be granted a 4 day leave of absence. Unusual circumstances will be considered individually by the Board.

Civic Leave:

Employees shall be granted a leave of absence with pay on any time they are required to report for jury duty or service. Employees are expected to work all reasonable hours outside of those actually required for jury duty, or jury duty examination in accordance with their regular work schedule.

Paid Family Leave:

As required by law and as a part of our association's Disability Policy, the Gorham Free Library will comply with New York State's Paid Family Leave Act. Beginning January 1, 2018, Employees with a regular work schedule of less than 20 hours per week are eligible after 175

days worked. Employees with a schedule of 20 + hours per week are eligible after 26 weeks of employment.

Employees pay the cost of Paid Family Leave through Payroll Deductions. The maximum employee contribution in 2018 shall be 0.126% of an employee's weekly wage up to the annualized NYS Average Weekly Wage. Employees are entitled to be reinstated to the same or comparable jobs upon return from any leave taken. This benefit will be fully funded through payroll deductions at a rate established yearly by the state and calculated by the library's payroll and disability insurance providers.

Eligible employees will be able to take Paid Family Leave starting in January of 2018 up to 8 weeks of leave may be used to be paid at 50% of their current weekly wage for any time taken under the provisions of this policy.

This policy covers any leave or time off taken by an employee for maternity/paternity leave, caring for a close relative with a serious health condition (spouse, domestic partner, child, parent, parent in-law, grandparent, grandchild), and active duty deployment of a spouse, domestic partner, child, or parent.

Maternity/Paternity Leave: The Director is granted maternity/paternity leave to a maximum of four months. Other staff are granted maternity/paternity leave to a maximum of two months. Persons planning to take leave should notify the Board of Trustees at least three (3) months prior to the beginning of the said leave. All Maternity or Paternity Leave is designated as unpaid; however, employees who choose to use their Paid Family Leave Benefits can do so.

Sick Days:

When an employee is sick, it is expected that they will notify the Library Director or staff on duty as soon as possible, or no later than 2 hours before the start of their shift. When leaving during the workday, the employee should notify the Director or staff member on duty. Staff may take up to 3 days of paid sick time during a calendar year. Additional sick days will be taken from their vacation time.

Vacations:

Staff members will receive a paid annual vacation to be prorated for the remainder of the year after date of hire for the first year, and then on January 1st of each subsequent year. Unused vacation time can be rolled over from year to year, but will be capped at a max of one week vacation accumulated. Unused time will not be reimbursed. Vacation pay is calculated to the average number of hours scheduled per pay period as stated on the account register provided by the payroll company.

In the event of conflicts, the staff member with the greatest seniority shall receive his/her choice of vacation periods. If a designated paid holiday occurs during a staff member's vacation, the holiday will not be charged against vacation credit.

Director and Other Full Time Staff:

All Part Time Staff: (Not including Temporary)

1-5 years of service - 2 weeks

Between 6-10 years of service - 3 weeks

11 + year of service - 4 weeks

1 - 2 years of service - 3 days

3-5 years of service -3 days + 1 day per year of service

6 to 10 years of service - 1.5 weeks

11 + year of service - 2 weeks

Worker's Compensation and Disability Policy:

As required by law, The Gorham Free Library provides Disability Benefits insurance for employees for non-work related disability.

Disability Benefits are payable for any non-work related injury or illness beginning with the 8th consecutive day of disability. Benefits are payable for up to 26 weeks. Benefit payments are based on average weekly wages for the eight weeks immediately prior to disability claims being filed, and are subject to the maximum allowable by the law in effect on the initial day of disability.

To claim benefits, employees must file written notice and proof of disability (Claim Form DB-450 to be provided by employer) with their employer or with the library's insurance provider within 12 days from the first day of your disability, or all or part of your claim may be rejected.

As required by law, the Gorham Free Library provides employees with a worker's compensation insurance program. If an employee is injured while working at his or her job he or she may be entitled to worker's compensation benefits. Subject to applicable legal requirements, worker's compensation and disability insurance provides benefits after a short waiting period.

Any employee who sustains a work-related injury or illness must complete an Accident/Illness Report Form and give the completed form to the Library Director as soon as possible. The report form creates the foundation for worker's compensation claims, and must be completed as accurately as possible. The Library Director will use this form to complete any paperwork required by the library's insurance carrier for consideration of coverage.

During worker's compensation or disability leave, employees may be required to submit periodic medical reports on their serious health condition. Before returning to work, the employee shall provide a medical certification from a health care provider verifying that he/she may safely return to work.

Restricted duty or modified duty will be handled on a case-by-case basis depending on recommendations from the treating physician, and input from employee to the Library Director and Board of Trustees.

Last Updated and Approved March 2019

Duties and Responsibilities of the Library Director at the Gorham Free Library 2070

Administration:

Assign responsibilities and tasks for clerks within the library, follow up and provide feedback on the completion of tasks and responsibilities listed under clerk duties, while staying informed on HR issues.

Attend library board and committee meetings, and prepare both financial and general reports relating to the library and its activities for trustees to examine. Draft and recommend policy to library board and plan for the implementation of goals and objectives.

Communicate personnel policies and procedures including any updates and changes to staff.

Conduct staff hiring and evaluations, and, when necessary, reprimands or terminations.

Manage library staff including instruction and training in library related topics, procedures, and policies through both formal and informal staff meetings while also encouraging staff to seek additional professional development opportunities offered through PLS or other educational avenues.

Oversee and approve scheduled use of library by outside groups.

Prepare staff schedules and timesheets each month and maintain all personnel files.

Prepare and submit an Annual Report to NYS as well as an Annual Report to the Community.

Schedule routine maintenance for the library facilities and collaborate with the board appointed Building Committee on major development projects including construction and renovation.

Cataloging and Processing:

Catalog and organize library materials as they are acquired, using best judgment and adhering to the standards of the profession and the policies of the Pioneer Library System. Oversee the production of spine labels and the processing of materials, including unpacking and checking items against invoices.

Circulation:

Expected to assist in the circulation of materials at the service desks; receiving materials from the drop box, placing holds for patrons, pulling holds from the collection, and performing other tasks as needed to provide excellent patron service, including processing deliveries, issuing cards and updating patron accounts while adhering to local and system policies and procedures.

Collection Development:

Responsible for directing Collection Development Activities such as researching new releases, evaluating current collection gaps, choosing materials based on input from staff, patrons, and ordering all materials which include books, periodicals, cds, dvds, audiobooks, homeschool resources, etc. The director is expected to shop for and purchase materials on a weekly basis. Responsible for keeping the library's collection up to date and manageable by evaluating circulation statistics, preparing weeding lists and discarding materials appropriately. Responsible for evaluating donated items for either addition to the collection or other distribution.

Finances (Accounting, Bookkeeping, and Budgeting):

Adhere to budgets when making purchases and maintain accurate records of financial transactions. Handle financial matters including account receivables, payables, reconciliations, budget reports etc. as well as the preparation of vouchers and payments in partnership with the board appointed Claims Auditor and Treasurer/ Financial Officer. Oversee the collection of fees and charges and prepare an Annual Operating Budget for the library. Submit bi-weekly payroll documents and all appropriate tax paperwork to the library's payroll company.

Fundraising:

Assist in the organization, implementation and maintenance of any library book sales. Conduct the library's annual fund drive, including writing request letters and thank you notes. Create regular raffle baskets or other to raise money for the library. Draft and send letters to Seneca and Gorham Town Boards requesting budget appropriations, and send a timely letter to the Marcus Whitman School Board for inclusion in tax levy as well as a follow-up request for the payment of funds six months later. Write grants and seek alternative sources of funds for special library needs or projects.

Programming:

Evaluate library programs periodically for effectiveness and value. Hire outside performers or presenters as needed for library programs or events. Organize and oversee yearly Summer Reading Programs for community members of all ages. Plan monthly programming for children, teens, and adults including story times, educational classes, workshops, performances, and other activities or events. Prepare press releases, publicity, and oversee the announcements of library programs or fundraisers via the local press, the library's website, and other social media outlets. Schedule class visits or other collaborative activities with local school district teachers and staff to provide support and extracurricular learning activities for students of any age.

Public Relations:

Attend town board meetings when needed; liaise with the general public and town officials when required in order to provide information and resolve all problems & complaints. Prepare surveys as needed in order to evaluate public opinion and satisfaction with library services.

Spearhead the organization and utilization of the library's website and both social and print media.

Speak at local schools and organizations, as needed, to promote the mission and services of the library.

Reference and Technology Support:

Assist and educate patrons concerning the use of information technology, the OWWL catalog, online resources, etc. and develop trainings for staff.

Perform reference services by finding resources and information to assist library users with any inquiries.

Update and install computer programs and software to optimize performance or as needed to reflect changes instituted by the library board and Pioneer Library System.

Systematically evaluate library technology and plan for adaption or upgrades as deemed necessary.

Uncategorized Activities:

Attend trainings and pursue professional development opportunities to maintain a thorough knowledge of the principles and practice of library science, administration, budgets and finances, etc.

Maintain membership in professional organizations and take an active role in library system activities.

Purchase of assorted office, library, and programming supplies.

Retrieve and handle mail, invoices, receipts and packages.

Strive for overall proficiency with various technologies, programs, software, and devices.

See also General Requirements & Responsibilities for all staff 2080a.

Last Updated and Approved August 2018

Building Maintenance:

Open and close the library responsibly and independently which includes putting the flag out, checking for newspapers, emptying the drop-box, turning lights and computers on/off, and setting AC/Heat.

Perform tasks essential for the upkeep of the building and the safety of the patrons including raking, salting, shoveling, sweeping, vacuuming, and gathering trash/ recycling for pickup.

Cataloging and Processing:

Assist in the production of spine labels and the processing of library materials, including covering books, applying labels, stamps, stickers, and dates as per established procedure.

Circulation:

Expected to assist in the circulation and renewal of materials at the service desks: receiving materials from the dropbox, placing holds for patrons, pulling holds from the collection, and performing other tasks as needed to provide excellent service while adhering to local and system policies and procedures.

Issue and update library cards and card holder information as needed.

Notifying patrons concerning hold items, fines, or other issues with their accounts.

Responsible for maintaining familiarity with the library's circulation software and online catalog showing the ability to perform standard tasks effectively.

Collection Development:

Assist as needed in researching upcoming titles or reporting patron recommendations to the director.

Finances

Responsible for recording payments in Evergreen and for keeping accurate notes of profits received and change disbursed at the circulation desk and for the upkeep of the cash drawer following guides and established procedures.

Library General:

Assist in maintaining the overall organization and effectiveness of the library by shelving items as they come in, promptly addressing shelving issues such as misplaced or disorderly books, routinely shelf reading areas as assigned, and discarding materials as needed.

Inform the Director of any supply shortages and keep office and program supplies organized.

Keep a daily count of computer use, patrons served, payments, event attendance, and reference actions.

Maintain magazine and newspaper rack by adding, weeding, and discarding outdated issues. Update and organize the library's digital files and internal records such as new book lists, event handouts, and statistics.

Office:

Monitor and use office equipment to copy, scan, and fax materials as requested by patrons and staff.

Make phone calls as necessary for the work of the library and pass on clear messages including caller's name, contact information, and any pertinent information to the director.

Print guest passes and monitor overall use of the library's computers by patrons.

Use a Windows PC with general knowledge of programs and good internet search capabilities.

Programming:

Prep supplies and activities for programs as requested, including ensuring the space is properly setup. Provide input, feedback, and support to the director in the preparation and implementation of events.

Run & plan programs as assigned and create or update displays, posters, and signs as needed.

Support programs offered by the library through promotion, registration and other activities.

Public Relations:

Distribute and prepare press releases, event announcements, and other materials as directed.

Update the library web page & social media with information concerning new materials or events.

Reference and Technology Support:

Assist and educate patrons concerning the use of technological devices, the OWWL catalog, and other online resources.

Perform reference services by finding resources and information to assist library users with any inquiries.

Troubleshoot and solve common computer and printer problems.

Uncategorized Activities:

Assist as needed with book sales, projects, and other events as requested by the director.

Also: See General Requirements and Responsibilities for all staff. 2080a

Minimum Qualifications: Graduation from High School or possession of an equivalent diploma.

Additional Senior Clerk Duties: Assist in training of new clerks, oversee shelf reading, or volunteers.

Last Updated and Approved August 2018

General Requirements and Responsibilities for all staff.

2080a

Able to communicate effectively and carry out written or oral directions.

Attend staff meetings, classes, and other programs to improve job skills and performance.

Be a good team player, who can work both collaboratively and independently to troubleshoot problems.

Be attentive to accuracy and willing to follow established procedures and policies.

Consistently carry out all duties illustrating, accuracy, attention to detail, good judgment, and good time management skills, while maintaining positive communication and professionalism with coworkers and neatness of self and their work areas.

Demonstrate a working knowledge of math, English, and information technology use.

Display dependability, initiative, and excellent time management skills on a regular basis.

Maintain awareness of the needs of library customers and fellow staff members in a busy environment.

Make judgments and decisions consistent with the current information and procedures.

Possess the physical stamina and ability required to bend, carry, lift, reach, and shelve items.

Project a positive image of the library through actions, demeanor, and verbal interactions with patrons, and endeavor to explain and act on library policies and procedures in a clear and consistent manner.

Show firm knowledge of how a library is organized and genuine interest in the work of the library.

Understand and implement library policies and procedures relating to the circulation of materials, the collection of fines or other fees, and the use of the library and its technology by patrons.

Work smoothly and cooperatively with the public and peers using courtesy and tact.

Last Updated and Approved August 2018

Director Evaluation

2070b

Director Performance Evaluation for: _____ Appraisal covers dates: _____

Fill in the # from the rating scale that best characterizes the performance during the evaluation period.

Scale: (0) No Opportunity to Observe (1) Development Opportunity - Performance Needs

Improvement. (2) Evidence that - Performance Meets Expectations. (3) Strong Evidence - Often

Demonstrates Performance Beyond Expectations (4) Clear Mastery - Consistently Demonstrates

Exceptional Performance

Organizational Leadership:

____ Understands and implements the mission of the library and articulates a guiding vision for services.

____ Works as an advocate of the library before government, customers, the community, and the public.

____ Stays current with new ideas, technology, and trends among libraries.

____ Makes effective decisions by gathering input, making timely decisions, and communicating results.

____ Proactively solves problems.

____ Total: Behavioral

Evidence: _____

Business and Financial Management:

____ Keeps informed about financial needs of the library.

____ Understands and supervises the financial accounting programs for the library.

____ Ensures that library funds are spent appropriately, always in the best interest of those we serve.

____ Provides the board accurate, understandable information about the financial status of the the library through regular financial reports.

____ Makes well supported budgeting recommendations to the board.

____ Assists the board in keeping the library financially sound.

____ Explores and proposes to the board new potential sources of finance for programs and services.

____ Plans and organizes work effectively.

____ Ensures that all governmental and legal requirements of the library are met.

____ Total: Behavioral

Evidence: _____

Customer Service:

___ Understands the needs of the library's customer and community and seeks to fill those needs with ___ library programs and services.

___ Gains respect /support of other persons and organizations who come into contact with our library.

___ Articulates clear vision to staff about the paramount importance of customer service and models ___ best practice behavior.

___ Total: Behavioral

Evidence: _____

Relationship With the Board:

___ Keeps board members informed about issues, needs, and operation of this library.

___ Offers direction to the board when needed on issues requiring board action and makes appropriate ___ recommendations based on through study and analysis.

___ Interprets the intent of and executes board policy.

___ Seeks and accepts from the board, constructive criticism of work.

___ Supports board policy and actions to staff, customers, and the public.

___ Understands their role in administration of board policy.

___ Total: Behavioral

Evidence: _____

Innovation/Improvement:

___ Seeks out and promotes changes that will better serve patrons and the community.

___ Regularly proposes new ideas to the board for better service to customers and the community.

___ Seeks advanced training to improve job skills.

___ Consistently pushes to improve efficiency and effectiveness.

___ Demonstrates concern about quality and getting better results.

___ Functions well in fast paced, changing environment.

___ Anticipates change and develops appropriate strategies.

___ Actively works on personal development; seeks out feedback on how to improve.

___ Responds effectively and proactively to library and organizational changes.

___ Commits to reach timely and successful closure on work.

___ Strong work ethic; does whatever it takes to get the job done and drives to excel in all matters.

___ Total: Behavioral

Evidence: _____

Planning and Problem Solving:

___ Establishes strategic goals that enable the library to better serve the community and anticipate future needs.

___ Creates a vision that keeps the library on the cutting edge in technology, programming, and services.

___ Establishes clear long and short term objectives that are attainable and promote betterment of the library.

Total: Behavioral Evidence: _____

Interpersonal Effectiveness:

___ Establishes rapport and maintains productive relationships with subordinates, board, customers, and community.

___ Handles differences openly, candidly, and constructively with the best interests of the library in mind.

___ Seeks input from others, creates a collegial atmosphere where ideas and information are easily exchanged.

___ Willingly accepts responsibility for actions and eagerly gives credit to staff.

___ Creates strong collaborative work groups focused on attaining superior results.

___ Encourages a culture of open communication.

___ Total: Behavioral

Evidence: _____

Describe 3-5 areas where performance is particularly effective.

- 1.
- 2.
- 3.
- 4.
- 5.

Describe 3-5 areas where performance could be more effective.

- 1.
- 2.
- 3.
- 4.
- 5.

Has the Executive Director's performance been at a level that merits consideration of additional compensation? Explain:

Director Signature: _____ Board President's Signature: _____ Date: _____

Last Updated and Approved August 2018

In the interest of developing and validating your work at the library, please take the time to fill out and submit this review in preparation for your meeting with the Board. Your input will serve to guide the review meeting.

To be filled out by the Library Director:

What do you feel are your primary areas of responsibility in your position?

What aspects of your job do you enjoy the most? What areas or aspects present challenges?

Where do you see opportunities for your ideas or skills to be utilized? Have you received these opportunities, or have you mentioned your ideas to the board?

Where do you feel you can improve and what tools or resources do you need to develop further?

Are there any concerns you want to discuss during your review meeting?

Has the Board of Trustees given you clear instructions and adequately expressed their expectations? If not, where do you need clarification?

What goals you want to set for yourself or for the library this year?

Please rate yourself in the following areas: (1) being barely acceptable and (5) being exceptional.

Administration _____ Collection Development _____ Communication _____ Customer Service _____
Facilities Improvement _____ Financial Management _____ Fundraising _____ Initiative _____
Productivity _____ Professional Development _____ Programming _____ Public Relations _____
Technology and Reference _____

To be filled out by the Board President:

What accomplishments would you like to highlight?

What, if any, areas of concern do you have about this employee's performance?

Where have you seen improvement since last review or evaluation session?

Review Discussion Notes: (Use the back of this sheet if necessary)

Director Signature: _____ Board President's Signature: _____ Date: _____

Last Updated and Approved August 2018

Library Clerk Evaluation

2080b

Clerk Performance Evaluation for: _____ Appraisal covers dates:

Fill in the number from the rating scale that best characterizes the performance during the review period.

Scale: (1) Unsatisfactory (2) Needs Improvement (3) Satisfactory (4) Very Good (5) Excellent

___ Knowledge: Demonstrates a sense of purpose and an understanding of their duties and responsibilities, ___ and has translated this knowledge into work of a generally accepted standard of performance.

___ Quality: Shows an acceptable degree of accuracy, neatness, and thoroughness of work.

___ Quantity: Amount of acceptable work accomplished during working hours.

___ Initiative: Makes an effort to set/reach goals, share ideas, and consistently take on new or necessary tasks.

___ Dependability: Punctual and willing to work, performing tasks with minimal supervision and opens/closes _____ library and building responsibly and independently.

___ Judgment: Illustrates the ability to make acceptable decisions in routine matters and in problem situations.

___ Patron Relations: Projects a positive image of the library; striving to show courtesy, tact, and polite ___ attention in their interactions with all patrons.

___ Job attitude: Demonstrates team spirit and cooperation; treats fellow staff with courtesy and respect.

___ Personal appearance: Illustrates attention to cleanliness, neatness, and appropriateness of dress.

___ Technical Expertise: Understands and uses library software, following established policies and procedures.

___ Record Management: Performs all tasks necessary for adding, editing, or discarding material as needed.

___ Processing: Carefully and consistently prepares new items according to established procedures.

___ Circulation: Able to correctly checks in/out materials, process delivery, place holds, and issue library cards.

___ Patron assistance: Performs effective reference interviews and effectively uses the catalog or other ___ resources to assist patrons. Provides information on the use of library resources as well as its policies.

___ Office Skill: Operates computer, fax, and copier machines with confidence, and files documents logically.

___ Clerical: Locates and shelves library materials carefully and helps promote library programs to patrons.

___ Supervisory: Assists in training volunteers, fellow staff, and is able to assign and review volunteer tasks.

_____ Total

Supervisor Comments:

Employee Comments:

I acknowledge that the above evaluation has been discussed with me.

Signature _____ Date _____

Library Director: _____ Date: _____

Last Updated and Approved August 2018

Library Clerk Review

2080b2

In the interest of developing and validating your work at the library, please take the time to fill out and submit this review in preparation for your meeting with the director. Your input will serve to guide the review meeting.

What do you feel are your primary areas of responsibility in your position?

What aspects of your job do you enjoy the most? What areas or aspects present challenges?

Where do you see opportunities for your ideas or skills to be utilized? Have you received these opportunities, or have you mentioned your ideas to your supervisor?

Where do you feel you can improve and what tools or resources do you need to develop further?

Are there any concerns you want to discuss during your review?

Has your supervisor given you clear instructions and adequately expressed their expectations? If not, where do you need clarification?

Is there a technology or process you want to learn more about? Is there a goal you want to set for yourself?

Please rate yourself in the following areas: (1) being barely acceptable and (5) being exceptional.

Attendance ___ Communication ___ Customer Service ___ Initiative ___ Productivity ___ Technical Skills ___

To be filled out by Director:

When have you seen exceptional performance by this employee?

What, if any, areas of concern do you have about this employee's performance?

Please rate this employee in the following areas: (1) being barely acceptable and (5) being exceptional.

Attendance ___ Communication ___ Customer Service ___ Initiative ___ Productivity ___ Technical Skills ___

Where have you seen improvement since last review or evaluation session? How can you help your clerk realize their goals and address their concerns?

Review Discussion Notes: (Use the back of this sheet if necessary)

Director Signature: _____ Clerk Signature: _____ Date: _____

Last Updated and Approved August 2018

Reports to: Library Director

Required knowledge, skills and abilities:

- Must have:
 - General knowledge of how a library is organized.
 - Ability to use a computer in a Windows environment with basic knowledge of MS Office
 - Working knowledge of math and English
 - Ability to write legibly
 - Time management skills
 - Physical stamina requiring the ability to carry, bend and reach from 6 inches to 6 feet
 - Adequate hearing to respond to library customers and staff in a busy environment
 - Dexterity to perform various tasks
 - Genuine interest in the work of a library
 - Knowledge of Evergreen and OWWL and understanding how the programs interact

- Must be:
 - Versatile, adaptable and flexible
 - Able to take initiative
 - Able to troubleshoot problems independently
 - A team player
 - Able to understand and carry out written and oral directions
 - Attentive to accuracy
 - Willing to follow established procedures and policies
 - Able to work with people in and outside the library
 - Able to change as changes in procedures are made
 - Able to make judgments consistent with the current information and procedures
 - Able to work in a fast changing environment

Typical Work Activities: (Illustrative only)

1. General, applies to all staff

- A. Understand and implement library policies and procedures.
- B. Project a positive image of the library through actions, demeanor and verbal interactions
- C. Work smoothly and cooperatively with the public and peers using courtesy, tact and good communication skills
- D. Consistently carry out duties illustrating:
 - Good judgment
 - Accuracy and attention to detail
 - Good time management
 - Neatness of self and the work area
 - Dependability
 - Initiative
- E. Attend staff meetings, workshops, classes and other programs to improve job skills and performance

2. Technical Responsibilities:

- A. Attend meetings, take training to update skills
- B. Circulation desk, using local and OWWL policies and procedures:
 - Staying current on policy change
 - Check in/out material
 - Issue library cards; Update library card and card holder information as needed
 - Place holds, retrieve materials requested by other libraries
 - Process delivery
 - Patron assistance
 - Perform a reference interview and obtain the information needed to fulfill the patron's request
 - Educate patrons in aspects of computer literacy and aid in use of Technological devices
 - Use all online databases
 - Assist patrons in the use of OWWL and other online resources, whether in the library or on the phone
 - Locate materials requested by patrons using the catalog and finding the item on the shelf
 - Copy, scan and fax materials as requested by patrons
 - =Trouble shoot and solve simple, common computer and printer

problems including basic internet connectivity problems
=Update Library web page on a weekly basis for new books to the library; upcoming programs; grant news; closings, meetings, and general information such as hours, board members, etc.
=Advertise library programs and events via Facebook and press releases

C. Clerical duties, using established procedures

- Maintain magazine and newspaper rack and move older magazines to hallway.
- Open and close the library and building responsibly and independently which includes putting flag out in the morning; emptying drop-box and processing materials; processing the PLS holds every ½ hour throughout the day and processing the bins from PLS. Bins must be put out for delivery on Monday, Wednesday and Friday.
- Library must be picked up before closing each day.
- Shelf materials as necessary (A mis-shelved book is a lost book. This is an ongoing task that is extremely important.) Each clerk has his/her own sections that they are responsible for.
- Have working knowledge of and the ability to use office equipment.
- Make phone calls as necessary for the work of the library
- Support programs offered by the library through promotion, registration and other activities.
- Responsible for updating and creating bulletin boards which will be changed once a month. Displays and signs as needed.
- Help patrons find books on shelves. If the catalog shows a book is “in” and you cannot locate it, then something is wrong and the problem needs to be pursued.
- Bring to Director’s attention any problems with reference questions, patrons, materials and/or the building.
- Take clear telephone messages that include date, time, caller’s name and phone number along with any message.
- Create all fliers, bookmarks, etc. as requested.
- Inspect returned materials for damage, repair as able, or send elsewhere for repair.

- Create lists of all new materials for distribution to patrons.
- Provide patrons with Readers' Advisory assistance.
- Maintain safety of patrons through shoveling, sweeping, raking, etc. of library grounds.
- Covering new materials and dating and stamping new books.
- Take note of any materials that are low such as ink, copy paper,
- Processing materials, cleaning supplies, etc. and bring shortages to director's attention.
- Keep daily record of # of patrons, bills paid, program attendance statistics.

D. Supervisory duties

- Assist in training of volunteers.
- Assign the work of volunteers.

Minimum Qualifications: Graduation from High School or possession of a High School Equivalency Diploma

The library clerk is often the first contact a patron has with the library. We always strive to present a positive image of the library and its services.

Good public relations are essential. Gorham Free Library, its services and collections belong to the public. Staff members are public employees. Trustees are the public volunteer representatives. Service, therefore, should always be gracious and helpful. The policy of the Gorham Free Library relative to the needs, purposes, and benefits of library public relations shall be:

1. To assure good library services for the people of the community
2. To supply full and accurate information on library objectives, programs, services, problems and needs
3. To keep the public informed about the library with flyers, posters, and notices in the local media
4. To stimulate the people to assume a partnership of responsibility for the quality and kind of services which the library offers
5. To involve the public in the activities of the library
6. To cultivate the interest, understanding and confidence of the public
7. To enlist the support of the Town Board to secure adequate financial support
8. To maintain the interest and support of children and their parents
9. To establish and maintain cooperative relations and mutual understanding with public schools and other educational institutions in the community
10. To maintain good internal staff relations
11. To foster a public expectation of change and progress in library operation and service

IMPLEMENTING AND ORGANIZING A COMPREHENSIVE PUBLIC RELATIONS PROGRAM

1. The Board of Trustees shall develop and announce the policies for public relations
2. The Board of Trustees shall provide a clear definition of delegation of duties necessary to actively involve all staff members.
3. The Board of Trustees shall provide for constructive involvement of community leaders and organizations to help in planning and executing the program. This is essential in order to guarantee effective two-way communication.

4. The library staff should carefully plan and systematize the public relations program in relation to the policies designated by the Board.

5. In working with the community, the Trustees and the library staff should:

- a. continuously survey its needs for services and its attitudes toward the public
- b. keep the public regularly informed
- c. build constructive relations with the press and other agencies of mass media
- d. cooperate with and enlist the assistance of community organizations
- e. utilize a wide variety of media and techniques for implementing the Public Relations program with :

- 1. news releases
- 2. fliers to schools, organizations, and the community
- 3. special brochures
- 4. regular or special columns in newspapers
- 5. posters, displays, exhibits, etc.
- 6. open houses
- 7. orientation programs for new residents, parents, students, etc
- 8. a physically attractive building
- 9. Lists of materials appropriate for various age groups and interests
- 10. Surveys to determine attitudes toward library service and needs in the library's collections

6. The Board of Trustees and staff have the joint duty of evaluating the public relations program.

Last Updated and Approved 12/2017

PURPOSE

The Gorham Free Library makes available to the public the Hazel F. McNamara Conference Room as an additional service rendered by the library under conditions set forth below in fulfillment of the library's mission. There is only one conference room available. The conference room in the library provides an opportunity for bringing together the resources of the library and the activities of the school and community. The Gorham Free Library welcomes the use of the McNamara Conference Room at no charge, on a reserved-only basis, by government agencies, non-profit organizations and groups engaged in educational, civic, cultural, intellectual, and charitable activities. The primary purpose of the conference room is to serve the needs of library-sponsored programs and services. Such functions will always have priority, followed by library and school-affiliated organizations. Since the library is a public institution supported by public funds, all programs held in its meeting room must be open to the public.

TERMS OF USE

1. Groups wishing to apply for a series of meetings may request the room and fill out an application in advance of the first meeting, accompanied by a schedule of future meeting dates and times. Reservations can be made for up to one year in advance. Regardless of the date when the initial request is made and approved, groups must reapply each January for the following year.
2. The library reserves the right to limit the number of reservations by any organization so that all groups may have a fair opportunity to use the McNamara Conference Room.
3. All reservations must be made by a community resident over age 21 with a valid Gorham Free Library card.
4. The person requesting the reservation must be present and assume full responsibility for meeting room use, adherence to rules and regulations set out in the policy and assume responsibility for any damage or loss that may occur to the meeting space, furniture or equipment.
5. The conference room is available only during the library's regular hours, unless other *arrangements have been made with the library director*. Set up time can begin only 15 minutes after library opening. Rooms must be returned to their original condition and vacated 15 minutes before closing time.
6. The library reserves the right to cancel room reservations for operational purposes, including but not limited to weather closings, electrical outages, or other unforeseen events.
7. Groups canceling reservations must notify the library as soon as possible in order to free the space for other groups.
8. Light refreshments may be served at meetings, but the library has no provisions for a kitchen facility. The groups are responsible for clean-up and trash disposal. No food or beverage may be brought out of the room into the library proper.

9. All meetings must be conducted so as not to interfere with the operations of the library, and under the auspices of an organization that agrees to comply with the policies, rules and regulations of the library. A certificate of insurance naming the library as an additional insured is required if a group is so covered and must be on file. Attendance may not exceed seating limits in the room.

10. The McNamara Conference Room is not available for commercial, entrepreneurial purposes, for the solicitation of business, or for profit. No admission fees may be charged. However, a fee for resource materials, books, etc. may be collected upon approval of the Director.

11. Meeting room use by an individual or group does not constitute or imply an endorsement of that groups beliefs, policies or programs by the library.

12. Appropriate conduct is expected as a condition of room use. All activities must be contained within the room and children must be supervised by an adult. No smoking or use of alcohol is permitted anywhere in the library. Equipment is limited to table and chairs.

13. The library is not responsible for loss or damage to any materials brought in by anyone using its McNamara Conference Room. Any individual or group using the room shall be held responsible for any damage to the library building, grounds, collections, or equipment caused by the group or organization, its members or those attending its programs.

14. Failure to comply with the above rules and regulations may result in cancellation or refusal of use privileges.

15. In the event circumstances arise which are not covered by the document above, the decisions of appropriate library personnel are binding. Any group or individual that has been denied permission to use the conference room may appeal in writing to the Library Board of Trustees.

AGREEMENT

We agree to leave the room in proper order when the meeting closes and to be responsible for any damage to the building and contents. The room is to be clean of all litter. All display material must be removed. Chairs and tables are to be replaced as found. No smoking or drinking of alcoholic beverages is permitted. The library staff member on duty is to be notified when the meeting closes.

NAME OF ORGANIZATION/GROUP _____

SIGNATURE & PHONE NUMBER OF PERSON RESPONSIBLE _____

Date and time of meeting _____

Booked: in person ___ by telephone ___ By staff: (initial ___) Date booked: _____

Last Edited and approved 2//20

LIBRARY SERVICES

3020

The following items are available for loan:

Books, magazines, audio books, videos (DVD), compact discs, CD-ROMs, pamphlets, learning aids, large print books. Available from the Pioneer Library System are: Assistive Devices.

The following services are available:

Reference and information using circulating non-fiction books and in-library use reference collection, in person or by phone; interlibrary loan; reserved materials; photocopying; public access to the Internet; word processing and multimedia computer for use in the library; multiple options for renewal are available; outside book drop; story hour; used book sales; summer programs for children; faxing.

LIBRARY HOURS OF OPERATION

The library is open 38 hours per week, 52 weeks per year. The library is closed on certain designated holidays see *Policy 2020*. Snow days will be determined by the closing of the Marcus Whitman Central School District. Emergency closings will be announced through Facebook, the website, and the email distribution list.

STORYTIME OPERATIONAL DETAILS

The Board of Trustees subscribes to the following details regarding the conduct of the storytime program:

1. Children ages birth -7 will be welcome. A half-hour will be allotted for each session. A parent/guardian must accompany each child.
2. Storytime sessions will meet within a schedule set by the Library Director.
3. Space and resources will be provided by the library. **Last Edited and Approved 12/19**

OPEN MEETING LAWS

3030

The Board of Trustees of the Gorham Free Library complies with the provisions of Article 7 of the Public Officers Law, also known as the Open Meeting Laws. See "Appendix A".

Last Edited and Approved 12/19

RULES OF CONDUCT

3040

Recognizing the need to maintain an environment suitable for studying, reading, browsing and general use of library resources, the Library Board establishes the following rules and procedures to assure the safety of library users, library personnel, and library materials, equipment and furnishings. The rules also exist to assure that the use of the library is not obstructed by inappropriate behavior or actions.

Library patrons are expected to follow all library policies including these Rules of Conduct. Entering the library implies agreement to abide by these rules while in the library. Failure to do so may result in expulsion from the library and/or loss of library privileges.

The following rules are to be observed:

1. No smoking. Eating and drinking allowed at the discretion of the library staff.
2. No disorderly or disruptive behavior on library premises
3. No harassment of library users or library personnel.
4. No weapons with the exception of peace officers.
5. No pets, except for assistance animals.
6. Absence of shirts or shoes is not permitted.
7. No placing feet on chairs or tables.
8. No defacing or damaging library materials, equipment, furniture or facility.
9. No loitering or soliciting on library premises.
10. No littering.
11. No leaving children under 9 unattended.

UNATTENDED CHILDREN

Children are always welcome at the Gorham Free Library. In order for their library experience to be a positive and safe one, the library asks that parents remember these guidelines:

1. All children under **nine** must be supervised by a parent, guardian or other responsible adult in such a manner to maintain that child's positive behavior and to maintain the safety of the child.
2. If a child's behavior becomes disruptive (i.e. yelling) or unsafe (i.e. running) and the parent or guardian is unable or unwilling to adjust the behavior of the child, the library

staff may ask the child and guardian to leave the library immediately. (Refer to the safety policy - 3050)

3. Library staff members are not responsible for the supervision of unattended children or for their departure time.

4. If a child is not picked up by the time the library closes, a member of the staff will notify the local law enforcement agency.

5. Children may be on the computer for up to two hours, and remain in the facility for up to three hours.

Last Updated and Approved 7/2019

Safety Policy

3050

No person shall engage in inappropriate conduct on the premises of the Gorham Free Library or when participating in library programs. "Library premises" include the interior of the library building as well as the sidewalks, library parking area and lawn. Inappropriate conduct shall include any individual or group activity that is disruptive to other persons who are lawfully using the library premises or any individual or group behavior that is otherwise inconsistent with the activities normally associated with a public library. Library users are required to observe the Rules of Conduct (see section 3040) governing the use of the Gorham Free Library.

For the safety of Library Employees, 2 employees will be scheduled to work when it is dark outside after 6pm.

SUPPORT OF STAFF MEMBERS' ACTIONS

Any staff member who observes or receives complaints of inappropriate behavior may:

1. Handle the situation directly with the patron. Staff should use good judgement as to whether the situation requires assistance from another staff member. (May use attachment 3050.1B)
2. Call for police support immediately if the situation appears to be potentially violent or emergent.
3. Ask the senior staff person present to assess the situation and make a decision as to how it should be handled.
4. Decide to contact the police if the offending person(s) will not conform to the Rules of Conduct or the request of the staff to do so.

In all cases, the Director, if present should be kept informed of the situation and should oversee the documentation of the situation as well as its satisfactory resolution. If the Director is not present on the day the problem occurs, the president of the Library Board should be notified. If unable to reach the president, the vice president should be notified.

INCIDENT REPORTS

Incident reports (Attachment 3050.1A) should be filed in all cases when it is necessary to confront someone who is involved in violation of the Rules of Conduct or engaging in any other inappropriate behavior.

Incident reports will be used to document security or safety issues as well as to monitor ongoing problems on library property. They should be filled out as completely as possible and should include any information that might be helpful to resolve the situation.

BANNING

A patron may be banned from the library premises for two (2) weeks or less if deemed necessary under the circumstances described above (see pg 3050). The Director or staff member acting on behalf of the Director may determine necessity.

If a patron commits a serious violation and a banning of thirty days or more is being considered, the following procedures will be followed.

1. The Library Director will review the incident report as well as interview any staff members who were involved with the situation.
2. The Director, or other staff or board person designated to act on the part of the Director in his/her absence, will provide a written decision regarding the banning within one (1) business day of the violation.
3. The written decision will set forth the period during which the patron will be banned from the library and will specify the reasons for the determination. The patron may be banned for a serious violation for thirty (30) days up to six (6) months.
4. The patron and all staff will be notified in writing of the reasons for and the length of banning. A copy will also be sent to the Ontario County Sheriff's Office and the Library Board President.
5. The Director may review or reconsider the decision and may shorten or terminate the banning period if information submitted by the patron or staff merits such modification. If such a decision is made, both the staff and the patron will be notified in writing.

REPEAT OFFENDERS

Any person who persists in violating the Rules of Conduct, including what may be considered minor offenses, may be considered to be subject to extended banning of thirty (30) days or more as deemed appropriate by the Director. The same procedures for extended banning as described in page 3050.1 will be observed.

Gorham Free Library
Gorham, NY 14561
(585) 526-6655

INCIDENT REPORT

Attachment 3050.A

Use to report an "out of the ordinary" incident including accident, behavior violations, patron warnings, patron complaints, etc.

INCIDENT DESCRIPTION: circle one Accident Behavior Damage Complaint

Date of incident: _____ Time: _____ Name of person(s) involved: _____

Address: _____ Phone: _____

WHAT HAPPENED?

WAS THERE ANY INJURY? If yes, describe the injury and the action taken as a result: _____

WERE THE POLICE CALLED? If yes, who responded: _____

WHAT ACTION WAS TAKEN TO RESOLVE THE PROBLEM: (attach any supporting document)

Staff person taking or making report: _____ Date: _____

Attachment 3050.B

Please Note: _____

You have been observed to be in violation of the Rules of Conduct of the Gorham Free Library. This constitutes a warning and notification of this violation. You must stop the behavior that is in violation immediately or you will be asked to leave the library. If you do not comply with the Rules of Conduct or the request to leave the premises, the proper law authority will be contacted.

Thank you for your cooperation, The Library Board of Trustees Gorham Free Library

LIBRARY MATERIALS

4000

DISPOSITION OF LIBRARY PROPERTY

The Board of Trustees and the Director have the responsibility to dispose of the library's property as they shall deem in the best interests of the library. Used, unusable donations, or surplus library materials, equipment, or furnishings which are to be disposed of and which have no market value, shall be offered to a not-for-profit organization, another library or the general public. Items which do have a market value will be offered for sale to the general public. Any proceeds received from the sale of items shall be retained for the purpose of maintaining and improving the library.

DONATION OF LIBRARY MATERIALS

All materials donated to the library are to be considered the property of the library to be used at the discretion of the Library Director as follows:

1. May be collected at any time.
2. Items which do have a market value may be offered for sale.
3. Disposed of if not usable in the above manner.

Procedure for donation is as follows:

1. Donations may be accepted at any time. Textbooks, encyclopedias, and periodicals will not be accepted.
2. All materials will be carefully screened with very old or badly soiled materials disposed of immediately. Usable materials are to be placed in an acceptable storage area.
3. Always be pleasant to the donor and express appreciation to them for wanting to help the library in this manner.

Last Updated and Approved 9/18

SELECTION POLICY

4010

PURPOSE AND SCOPE

Individuals are entitled to resources they require to lead informed, productive, and enriched lives. It is the purpose of the Gorham Free Library to provide these resources in the form of materials, services and programs.

The library serves area residents of all ages and provides an environment for lifelong learning with responsive services, programs and materials in a variety of formats to

help meet their cultural, recreational, and informational needs. Emphasis is placed on service, free access, and encouraging preschool and elementary age children to develop an interest in reading and learning.

It is recognized that a wide range of interests and viewpoints are present in the community. The library strives to provide a comprehensive collection within the limitations of budget and space which address the interests and concerns of the community.

This policy refers to the following statements and the Library Board endorses the following statements adopted by the American Library Association:

Library Bill of Rights (Section 1010)

Freedom to Read Statement (Appendix C)

Freedom to View (Appendix D)

Restricted Access to Library Materials (Appendix E)

Free Access to Libraries for Minors (Appendix F)

Statement on Labeling (Appendix G)

Expurgation of Library Materials (Appendix H)

Diversity of Collection Development (Appendix I)

Access for Children and Young People to Videos or Other Non-print Formats (Appendix J)

Access to Electronic Information, Services, and Networks (Appendix K)

The philosophies of intellectual freedom expressed in these statements guide this policy and its implementation.

RESPONSIBILITY FOR SELECTION

The authority and responsibility for the selection of library materials is delegated to the Library Director and, under his/her direction to staff who are qualified for this activity by reason of education, training and experience.

CRITERIA FOR SELECTION

To build collections of merit and usefulness, materials must be measured by objective guidelines. All acquisitions, whether purchased or donated, are considered in terms of the following standards. Clearly, however, an item need not meet all the criteria in order to be acceptable. When judging the quality of materials several standards and

combinations of standards may be used, as some materials may be judged primarily on artistic merit, while others are considered because of scholarship, value, or ability to satisfy the recreational and entertainment needs of the community.

GENERAL CRITERIA

1. The author's reputation and significance as a writer.
2. The importance of subject matter to the collection.
3. Suitability of physical form for library use.
4. Availability of material in other libraries or in print.
5. Timeliness or permanence of the material
6. Present and potential relevance to community needs.
7. Relation to existing collection and other materials on the subject.
8. Attention given by critics, reviewers, professional book selecting aids and the public.
9. Accuracy of content.
10. Quality of the physical format, including adequate binding, print size, durability and illustration for print format: technical and production quality, creativity, originality and availability of equipment for non-print formats.
11. Price.

In applying these criteria, the selectors will use the following guides:

1. Knowledge of the community.
2. Professional literature available to the selector.
3. Professional ability to evaluate.
4. Needs of the collection.
5. Comparison with other materials.

CHALLENGES TO THE COLLECTION

Materials reflecting the diversity of values and viewpoints present in our society should be included in the collection, and thus, the collection will contain material which might be offensive to some. The library's commitment is to diversity and a range of attitudes, not suppression and conformity.

The library is a forum for information and ideas. Books and other library resources should be provided for the interest, information and enlightenment of all people of the community. The library should provide materials and information presenting all points of view.

Once an item has been accepted as qualifying under the selection policies and rules, it will not be removed at the request of those who disagree with it unless it can be shown to be in violation of these policies and rules. If a criticized material is deemed to have been properly selected by the terms of this policy, public use of it shall not be denied or abridged in any way. A material is evaluated as a whole work.

There is a formal procedure for reconsideration of materials. The Library Director is available to discuss the interpretation and application of these selection principles.

EVALUATION

The continuous review of the library's collection to remove physically deteriorated or obsolete materials is one means to maintain an active library collection of current interest to users. This procedure, however, is sometimes used as a convenient means to remove materials thought to be too controversial or disapproved of by some segments of the community. Such abuse of the reevaluation function violates the principles of intellectual freedom.

Criteria for removing materials from the collection include:

1. Condition: items that are shabby and unattractive should be removed and replaced, if in print. If out of print and still needed, mend or replace with a newer title.
2. Materials should be discarded when the information or presentation becomes inaccurate or dated in content or appearance.
3. Decreased demand items that circulate infrequently should be consulted and the future use and availability through interlibrary loan should be considered.

JUVENILE COLLECTION:

The Juvenile collections begins with board and cloth books for babies and extends through materials for sixth graders. Believing that good books will help develop the child as a citizen, as an imaginative and creative individual and as a lifetime reader, the following are some factors to be considered.

1. Attractive and inviting format with illustrations in harmony with text.
2. Fiction which is well written, imaginative and up to date.
3. Non-fiction which is accurate, informative and up to date.
4. Subject matter, format and reading level appropriate for age level intended.
5. Literacy style appropriate to subject matter.

YOUNG ADULT COLLECTION

The young adult collection will include materials for Junior High through High School age.

All limitations to minors' access to library materials and services violate Article V of the Library Bill of Rights which states that "The rights of an individual to use the library should not be denied or abridged because of age...". Limiting access to some services and materials to only adults abridges the use of libraries for minors. "Use of the Library" includes use of and access to all library materials and services.

The library cannot be responsible for selection of materials by minors. The ultimate responsibility rests with the parent or guardian. If a criticized material is deemed to have been properly selected by the terms of this policy, public use of it shall not be denied or abridged in any way. A material is evaluated as a whole work, not by detached excerpts.

It is recognized that adult or young adult materials may supplement the juvenile collection wherever necessary. Conversely, some older students and adults are best served by materials found in the juvenile collection.

SCHOOL CURRICULUM

A goal of the library is to promote lifelong use of the public library for the purpose of literacy, reading for pleasure, information, growth, informed citizenship and solving daily practical problems. It is an objective of the library to assist students with materials and services supplemental to their school libraries. The collections for young people will primarily serve their activities, interests, and the needs which are non-school related; and secondarily their school-related education needs. The library does not intend to duplicate the responsibility of the school libraries to meet the school curriculum needs.

GIFTS

Gift materials, even if not catalogued, can use valuable shelf space and staff time to handle. Items donated by the public should be graciously received with the explicit understanding that if they cannot be used, they will be disposed of in a manner

determined by the Library Director. The same criteria must apply to gifts as are applied to purchased material. Generally, gift materials will be accepted for inclusion in the collection as a needed duplicate copy of an item already cataloged and in high demand. Gifts not to be included in the library's collection may be sold in the used book sale.

LOCAL HISTORY

The library recognizes its obligation to provide material related to the history and heritage of Gorham, but the library should not attempt to duplicate the work of the Town Historian or local historical societies.

4020

PROCEDURES FOR DEALING WITH CHALLENGED MATERIALS

1. The individual questioning an item in the collection will be treated with courtesy.
2. The Director or staff member shall try to discuss the concern informally with patience and with the understanding that the individual has a right to their opinion.
3. If an individual wishes to file a formal complaint, the procedure will be explained to them. The person will be supplied with information on the library's selection policy and the appropriate form. The form when completed will be given to the Director.
4. If possible, review of the item will be obtained.
5. If a "Request for reconsideration" or "Patron comment" form is filed by an individual, the Director will follow up with a response letter to the individual, expressing the library's policy. The Library Bill of Rights, Freedom to Read Statement or other relevant documents will be attached as deemed necessary.

Non-Removal of Challenging Materials
(An Interpretation of the Library Bill of Rights)

WHEREAS, the Library Bill of Rights states that no library materials should be proscribed or removed because of partisan or doctrinal disapproval, and

WHEREAS, Constitutionally protected expression is often separated from unprotected expression only by dim and uncertain line, and

WHEREAS, Any attempt, be it legal or extra-legal, to regulate or suppress material must be closely scrutinized to the end that protected expression is not abridged in the process, and

WHEREAS, The Constitution requires a procedure designed to focus searchingly on the question before speech can be suppress, and

WHEREAS, The dissemination of a particular work which is alleged to be unprotected should be completely undisturbed until an independent determination has been made by a judicial officer, including an adversary hearing.

THEREFORE, THE PREMISES CONSIDERED, BE IT RESOLVED, That the American Library Association declares as a matter of firm principle that no challenged library material should be removed from any library under any legal or extra-legal pressure, save after an independent determination by a judicial officer in a court of competent jurisdiction and only after an adversary hearing, in accordance with well-established principles of law.

Adopted by ALA Council on June 25, 1971.

Policy Adopted: _____

PATRON COMMENT ON LIBRARY MATERIALS

- 1. Materials on which you are commenting:
___ Book ___ Video ___ Audio Book
___ Magazine ___ Newspaper Other _____
- 2. Title of work: _____
Author: _____ Publisher/Producer: _____
- 3. Please state your comment, suggestion, or criticism of the material as specifically, as possible.
- 4. Did you read, see, listen or otherwise use the material in its entirety? _____
If not, then which parts?
- 5. Are you aware of the judgement of this material by qualified critics? _____
If yes, please identify the source. _____
- 6. What resource(s) do you suggest to provide additional information on this topic?
- 7. Additional Comments:

Signature _____ Date _____
Address _____ Phone _____

The library appreciates your interest. Your comments will be forwarded to the Library Director.

Received by (staff member) _____

Policy Adopted: _____ Board of Trustees

REQUEST FOR CONSIDERATION OF CHILDREN’S LIBRARY MATERIAL

Format of the Material: ___ Book ___ Video ___ Audio Book ___ Other _____

Title: _____

Author: _____ Publisher: _____

Request initiated by: _____

Phone: _____ Address: _____

Do you represent: Yourself _____ Name of Group _____
Name of organization _____

To help us in our response, please answer as many of the following questions as you can.

1. Specifically, to what do you object in the material?
2. What do you feel might be the result of exposure to this material?
3. What is good about this material?
4. For what age group would you recommend this material?
5. Did you read, listen to, or view the material in it's entirety? _____ If not, what parts did you examine?
6. Are you aware of the judgement of this material by qualified critics? _____ If yes, please identify the source.
7. In it's place, what material would you recommend that would convey a valuable picture and perspective of the subject treated?
8. Additional comments:

Signature _____ Date _____
Address _____ Phone _____

The library appreciates your interest. Your comments will be forwarded to the Library Director.

Received by (staff member) _____ Board of Trustees
Policy Adopted:

REGISTRATION

Borrowing privileges are granted to residents of the Pioneer Library System (Ontario, Wayne, Wyoming and Livingston counties) and to patrons of other library systems in New York State. Borrowers must apply for a library card in person. Acceptable documentation establishing the borrower’s identity must be present at the time of application.

Minimum age to obtain a library card is 5. A parent or legal guardian must be present at the time of application and must sign to assume financial responsibility for children aged 5-18. The parent must present acceptable identification at the time of application. Borrowers are responsible for updating their registration information upon any change of address, name, stolen card, etc.

Application for a library card constitutes an agreement with the library that the borrower is responsible for all materials borrowed on the card and will return them in a timely manner and in good condition. The borrower assumes financial responsibility for any fines or replacement costs incurred for lateness, loss or damage to the materials. The borrower’s signature on the application implies his/her agreement to abide by all library rules, policies and regulations.

A borrower may replace a lost card for \$1.00. Identification may be required at the time of replacement.

BORROWING

A borrower must present his or her library card for every transaction, or offer other form of id in its place enabling staff to look them up in the system.

Borrowers may be denied access to materials or services when fines amount to more than \$5.00 or he/she has more than five (5) overdue items or has chronically abused the library’s borrowing rules, as determined by the library staff.

A limit on materials to be borrowed by one person may be imposed based on demand, value, or availability of the items.

Loan periods are as follows:

Books	2 weeks	2 renewals
<u>Magazines</u>	<u>1 week</u>	<u>2 renewals</u>
Audio Books	2 weeks	2 renewals
Music CDs	2 weeks	2 renewals
<u>DVDs</u>	<u>1 week</u>	<u>2 renewals</u>
<u>New DVDs</u>	<u>2 days</u>	<u>1 staff enabled renewal</u>
<u>Series or Set DVDs</u>	<u>2 weeks</u>	<u>2 renewals</u>

Renewals are allowed as specified unless the item is reserved for another person (on hold) in which case, it cannot be renewed for a full loan period; however, staff may be allowed to extend the due date 1-3 days on a case by case basis or in the event of special circumstances.

The borrower agrees that any audio-visual materials borrowed and used with the borrower's own equipment are used at his/her own risk. The library is not responsible for damage to the borrower's equipment.

FINES, SPECIAL FINE PAYMENT RULES, AND OTHER LIBRARY CHARGES

Retrieval of library materials is important to maintaining the Gorham Free Library's collection and to ensuring that library materials are available to all interested patrons.

Overdue books and materials are subject to the following fine schedule: Book, audio books, CD's, learning aids, periodicals - \$0.20/day Videos - \$1.00/day.

In the event that a patron has donated \$25.00 dollars to the library they, and any juvenile members of their household who also have library cards, will be awarded fine free status at the Gorham Free Library lasting for one year from date of donation. When an annual donation of at least \$25 is made, the patron will be qualified to participate in the Fine Free Policy. The patron's library card's expiration date will be altered to be 1 yr. from the donation date. Current staff and board members will also be given Fine Free Status, in appreciation of their service to the library and its patrons.

Patrons under the age of 18 may also choose to pay down the fines on their accounts by participating in our Read Down Your Fine Program. Patrons wishing to take advantage of this program must sign in with the circulation staff and agree to read a selected book within sight of the circulation desk for up to 30 minutes. If the staff member deems their participation valid, 50 cents will be forgiven from their account per each 30 minute session.

Copier Service: \$0.25 per single page, \$0.50 per two-sided copy.

computer printer copies: \$0.25 per page, regardless of number of pages

FAX (transmittals only): \$1.50 per page and \$1.00 for each additional page

Damages to Computers and Peripheral Devices: Damages to computers and peripheral devices due to negligent or inappropriate use by the patron will be charged to the patron at the cost of repair or replacement.

Lost or Damaged Materials: Borrowers who lose or damage materials beyond repair will be charged the full purchase price of the lost or damaged item. If the item is no longer available, the charge will be the cost of a similar replacement.

Levy of Fines: Levy of fines shall be the responsibility of the library staff member who charges such fines.

Returned Checks: There will be a charge of \$20.00 levied for any returned checks. **Updated 7/19**

The Board of Trustees recognizes that the public library has a role in the community to disseminate information which is community oriented and which residents of Gorham and/or library users will find useful. The Board recognizes that many civic, social, cultural, recreational, educational, and health-related agencies and organizations view the library as a place for publicizing activities and concerns.

In line with constitutional rights and privileges and the Library Bill of Rights, the Board does not discriminate toward any group or individual or purpose they represent.

Space is provided in the library for free distribution of brochures and flyers provided by agencies and organizations which provide information of interest and/or use to the community and to library users.

Materials which are to be freely distributed must meet the following criteria:

1. Materials must be confined to the Information Rack or other display areas.
2. Material of a commercial nature will not be accepted.
3. Petitions will not be accepted because library employees can't assume responsibility for verification of eligibility.
4. Library employees will not be responsible for contacting agencies, organizations, or individuals with regard to the disposal or replacement of materials left in the library for free distribution.
5. All materials must indicate on each copy the name of the agency or organization responsible for the flyer or brochure.
6. Materials should in no way imply connection to the Gorham Free Library, unless an official connection does exist.
7. All material is left with the understanding that library staff may discard the materials based on space considerations, current nature of the material and apparent lack of interest in the material.
8. The Library Director may decide on the quantity of materials to be left for free distribution.

USE OF THE LIBRARY'S PUBLIC AREA

4050

The use of library's public areas for non-traditional library activities is not permitted. No indoor part of the library, or any entranceway thereto, may be used for commercial or non-commercial sales, solicitations, petitions, handbill distribution, public speaking or advertising. Activities conducted for commercial enterprise in the library facility are prohibited.

POSTING OF MATERIALS IN THE LIBRARY

Because the Gorham Free Library is a public institution, discretion must be exercised in the quantity and nature of posters and other promotional materials posted in the library.

In line with constitutional rights and privileges and the Library Bill of Rights, the Board of Trustees of the Gorham Free Library do not discriminate toward any group or individual or the purpose they represent.

A bulletin board is located in the upper hallway of the library building. Posting of materials will be limited to library items and items of special community request. Items to be posted will be approved by the Library Director.

Last Updated and Approved 6/ 2018

4060

SALE OF ITEMS IN THE LIBRARY

It is the desire of the Board of Trustees of the Gorham Free Library to serve the needs and interests of local citizens in the area of public library-media services. Staff members are hired to conduct the daily operations of the Gorham Free Library.

With regard to sale of distribution of merchandise or materials by local, civic, fraternal, service and nonprofit organizations, it is not the objective of the library services to make available marketing space or cashier services in the library. Sale of materials in the library will be limited to projects or merchandise of the library and surplus equipment sales by the Board of Trustees.

Consideration of liability on the part of library staff and the Board of Trustees for receipts or merchandise left in the library over any period of time and of the time and

responsibility placed upon the staff by outside sales dictates that the Board of Trustees shall not allow the sale of merchandise which is not library related.

The librarian is directed to administer this policy and refer any appeals directly to the Board of Trustees. An exception to this policy requires prior written approval of the Board of Trustees or Director. The Director is authorized by the Board of Trustees to use discretion in the administration of this policy.

4070

EQUIPMENT PURCHASE

The Library Director is responsible for determining and recommending to the Board of Trustees the equipment needs of the library. Selection of equipment should be based on knowledge of the needs of the library, types of equipment appropriate to the library and resources for recommendation and evaluation.

Consideration should be given to the effective use of the collection and staff, and the goals and objectives of the library in determining equipment needs and selecting items.

Technology, compatibility with style and design already in use, durability, maintenance and effectiveness should be considered. Comparisons of reliability, workmanship, cost, etc. should be made before any purchase.

Equipment purchases should be a planned part of the yearly budget. Long-range planning should be made in cases of major equipment needs. The library director will follow the appropriate procedures for bids when required by law.

Last Updated and Approved 6/ 2018

4080

Computer and Internet Use Rules and Procedures

In keeping with the Gorham Free Library's mission to provide our patrons with current information in a variety of formats, the library offers free access to computer and the Internet. Information gathering and research will be the Internet's primary purpose in the library.

1. Before children under 18 can use the Library's computers, they both must sign the Kids' Pledge (below) and a parent or guardian will need to check the box on their Library Card application that the computer may be used. These will be kept on file.

2. All users must have a valid Gorham Free Library card clear of fines and overdue items before applying to use a computer, and/or signing for a minor. Each user must sign in at the desk.
3. Computer time is available at no charge in one-hour increments on a first-come, first- served basis. If no one is waiting at the end of the first hour, additional time may be requested.
4. Only two people are allowed at the computer station at a time.
5. It is the right and responsibility of parents to supervise their children's use of the Internet. To the extent possible, library staff will monitor the use of the online activities of minors in accordance with library policy and the Neighborhood Children's Internet Protection Act.
6. Using computer resources for activities that violate local, state or federal law is prohibited.
7. Due to the public setting for computer terminals, display of objectionable images (including nudity, obscenity or graphic violence) as deemed such by library staff will result in the immediate termination of the session. A second offense will result in a longer or permanent loss of Internet privileges.
8. Patrons may print information from a computer workstation at the cost of 25 cents per page. Some documents may be several pages in length, users are financially responsible for all printouts.
9. Changing computer settings or programs is strictly prohibited.
10. Library staff members are trained to provide some startup support and will assist with computer use as their time permits.
11. Any damage to the computer or its peripheral devices is the responsibility of the user. Abuse of the equipment will result in the user being denied further access to the service. Malicious damage may result in prosecution.
12. Since the Internet is not a secure medium, transactions may be subject to unauthorized access by third parties. The library respects confidentiality and will not release information on the use of electronic resources as required by law.

THESE RULES ARE SUBJECT TO REVISION AT ANY TIME. USERS ARE RESPONSIBLE FOR KEEPING INFORMED OF ANY CHANGE. CURRENT LIBRARY POLICY WILL BE CLEARLY POSTED AT EACH TERMINAL.

CHILDREN'S RULES FOR ONLINE SAFETY

4090

excerpted from "Child Safety on the Information Highway" by the National Center for Missing and Exploited Children and
SAFEKIDS.COM

Kids' Pledge

1.	I will not give out personal information such as my address, telephone number, parents' work address/telephone number, or the name and location of my school without my parents' permission.
2.	I will tell my parents right away if I come across any information that makes me feel uncomfortable.
3.	I will never agree to get together with someone I "meet" online without first checking with my parents. If my parents agree to the meeting, I will be sure that it is in a public place and bring my mother or father along.
4.	I will go online or play video games when my parents say it's OK and limit my online time so that it doesn't interfere with chores, homework or other activities.
5.	I will not respond to any messages that are mean or in any way make me feel uncomfortable. It is not my fault if I get a message like that. If I do I will tell my parents right away.
6.	I will talk with my parents so that we can set up rules for going online. We will decide upon the time of day that I can be online, the length of time I can be online, and appropriate areas for me to visit. I will not access other areas or break these rules without their permission.
7.	I will not give out my Internet password to anyone (even my best friends) other than my parents.
8.	I will be a good online citizen and not do anything that hurts other people or is against the law.
9..	I will help my parents understand how to have fun and learn things online and teach them things about the Internet, computers and other technology.

From the American Library Council:

The mission, goals, and objectives of libraries cannot authorize librarians or library governing bodies to assume, abrogate, or overrule the rights and responsibilities of parents. As "Libraries: An American Value" states, **"We affirm the responsibility and the right of all parents and guardians to guide their own children's use of the library and its resources and services."** Librarians and governing bodies should maintain that parents—and only parents—have the right and the responsibility to restrict the access of their children—and only their children—to library resources. Parents who do not want their children to have access to certain library services, materials, or facilities should so advise their children. Librarians and library governing bodies cannot assume the role of parents or the functions of parental authority in the private relationship between parent and child.

I agree to the above

Child sign /print name here

I will help my child follow this agreement and will allow reasonable use of the Internet as long as these rules and other family rules are followed.

Parent(s) sign here

Last Updated and Approved 4/2017

BOARD OF TRUSTEES

The Board of Trustees derives its power and authority from Section 226 and 260 of the State Education Law which states:

They shall have all the powers of trustees of other educational institutions of the university.

Last Updated and Approved 8/19

5010

Gorham Free Library Payment of Bills Policy

The fiscal year of the Gorham Free Library shall run from January 1 through and including December 31.

Bills incurred by the Gorham Free Library shall be presented to the Claims Auditor who will authorize payment on behalf of the Board of Trustees. After such approval, the Treasurer and Director will sign each check used for payment. The Director will sign all paychecks prepared by the payroll company. Vouchers or payments will be made available to the Board of Trustees at each regular Board meeting. The warrant of all payments made will be reviewed and approved by Board motion as appropriate.

The Director may pre-pay payroll and any other bills (such as utilities, or those that carry a significant penalty for late payment) with a check co-signed by the Director and Treasurer (or another Board member). A report of any such payments will be made to the Board of Trustees at the next regularly scheduled Board meeting.

Last Updated and Approved 8/19

Financial Investment Policy, Policy 6000 A motion was made by Bonnie and seconded by John to approve the policy as rewritten with the following changes. (Changes in bold print). Under Accountability section: Sentence three to read A majority vote of the Board will be required to make changes in Investment Manager if appropriate. Under Policy Review and change Procedure: Sentence three to read To make changes to this policy a motion to this effect must be read at the previous regularly scheduled meeting of the Board of Trustees. Under Financial Policy Adoption: Add a second sentence: The voting record of yea or nay of each member shall be recorded in the minutes of that meeting. Statement at the end of the policy to be Updated September 23, 2019.

Gorham Free Library Claims Auditor Policy

The Claims Auditor will be appointed by the Board to ensure all expenditure vouchers are properly itemized and documented before payments are made. To maintain the position's independence, the Claims Auditor will be someone who is independent of both the purchasing and the check signing functions.

The Claims Auditor will be filled on a rotating monthly basis by the Gorham Free Library's Board of Trustees. The Claims Auditor ensures that the library is safeguarded from operational losses resulting from fraud or deceit.

The Claims Auditor will review library expenses and requests for reimbursement and ensures that such requests are valid and accurate. Expenses are to be reviewed by the Claims Auditor every two weeks.

The Treasurer will approve the warrant (paid bills) the evening of the monthly Board Meeting.

Last Updated and Approved 5/2019

Gorham Free Library Public Participation Policy

5030

The Gorham Free Library Board of Trustees is interested in hearing the concerns and opinions of the members of the Marcus Whitman community.

The Library Board meets the fourth Monday of the month unless otherwise stated at 7:00 PM in the McNamara Conference Room.

Members of the community who wish to be heard by the Library Board on any matter are encouraged to communicate to the Library Board President or any other Trustee at the Gorham Free Library

The main purpose of Library Board meetings is to conduct the business of the library. This policy governs the public part of the Board Meeting in order to insure the meetings remain orderly and agenda-oriented. The agenda will be posted the Saturday before the scheduled Board Meeting on the bulletin board outside the main library door and online.

* The first 10 minutes are set aside at each monthly Board Meeting for public participation.

* Any member of the community who wishes to speak to the Board is asked to sign in before the meeting is called to order so that he/she may be placed on the agenda.

* Those who have signed in to address the Board will be recognized in the order in which they signed in.

- * Public comments should be addressed to members of the Board.
- * The Board President reserves the right to set reasonable time limits for input on each topic.
- * It is the Board's desire to hear comments from the public. During Board discussion, the public may make comments if recognized directly by the Board President. If the need arises for public discussion after the initial first ten minutes, it is up to the Board President if that discussion will be engaged in or not.

Library Board of Trustees Approval- August 2019

GORHAM FREE LIBRARY FINANCIAL POLICY

PURPOSE AND SCOPE

This document will govern the investment activities of the Gorham Free Library. The Library Board of Trustees recognizes that they have a fiduciary responsibility to make financial decisions and take actions that are in the best interests of the Library. Board members shall seek to act responsibly as custodians of the public interest. The Board believes this responsibility may at times be best exercised through professional investment managers, as decided by a majority vote of the Board. It is recognized that the determination of investment strategy and security selection should lie with the Investment Managers and not with the Board. Therefore, the Board believes they can best exercise their responsibilities by:

1. Setting policy guidelines and objectives, to be reviewed at least annually.
2. Selecting a qualified Investment Manager or Managers if deemed necessary.
3. Communicating closely with those responsible for investment results.
4. Monitoring investment results to assure that objectives are being met.
5. Taking appropriate action if objectives are not being met.

DEFINITIONS OF DUTIES

Responsibilities of the Investment Manager(s)

1. Assets are to be managed in accordance with the objectives and guidelines expressed herein. The Investment Manager(s) are responsible for optimizing the return on the assets within these guidelines.
2. The Investment Managers are responsible for frequent and open communication with the Trustees on any and all significant matters pertaining to the investment of the Library Improvement Reserve Fund.

ETHICAL ACTIVITY

Any participant in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that places library funds at unreasonable risk.

Any participant involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

INVESTMENT OBJECTIVES

1. **Short Term Funds:** The preservation of principal is the main objective.

Long Term Funds: The Board of Directors stresses an investment policy which seeks to grow the assets of the Library over time, preserve the purchasing power of the assets, control volatility, and provide for the spending needs of the Library. The Board recognizes that any investment involves the assumption of risk, and that there is a direct relationship between risk and expected return. Therefore, the Board believes that the goals of capital appreciation, protected against inflation, and generation of sufficient income and returns can best be achieved by structuring a flexible, balanced fund approach. In accordance with the concept of the Prudent Investor, the Investment Policy is based on a flexible balanced fund approach to accomplish the goals of the Library and yield an appropriate return given the level of risk undertaken.

2. **Liquidity**

The Library Board's Investment portfolio is to remain sufficiently liquid to enable the Library Board to meet any needs of the Library that might be reasonably anticipated.

3. **Optimize total return**

The Library Board's investments should generate the highest available return without sacrificing other objectives.

LIBRARY FUNDS

1. **SHORT TERM FUNDS:**

OPERATING FUND: All money collected from tax levies, interest on operating fund, fees, fines, rentals, and other revenues shall be deposited into the "Library Operating Fund", and must be budgeted and expended in the manner required by law. Operating Funds are held in both Checking and Savings accounts.

PETTY CASH FUND: This fund has been established for the purpose of paying small or emergency items of operating expense as designated by resolution of the Library Board.

2. **LONG TERM FUNDS:**

LIBRARY IMPROVEMENT RESERVE FUND

Money or securities for the purpose of anticipating necessary future capital expenditures such as the purchase of land, the purchase and construction of buildings or structures, the construction of additions or improvements to existing structures, the purchase of equipment, and repairs or replacements of buildings or equipment. The fund is intended to meet future capital expenditures of repairs for which taxes cannot reasonably be levied in any one year.

INTERNAL CONTROLS

The Library Director and the Board of Trustees are responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits are

safeguarded against loss from unauthorized use or disposition, are recorded properly, and are managed in compliance with applicable laws and regulations.

PERMITTED INVESTMENTS

The Board of Trustees is authorized to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs.

ASSET MIX

1. SHORT TERM FUNDS

100% cash equivalents

Performance Objectives: Short term funds should preserve principal and earn current savings rates when possible.

2. LONG TERM FUNDS

The asset mix of the Reserve Fund will range within the following limits:

- Cash/cash equivalents 0% to 10%
- Common Stocks and securities 40% to 65%
- Fixed income securities remaining balance

Performance Objectives for Long Term funds

Net returns of Long Term funds should be measured annually and changes considered in a longer time frame.

Standards:

Performance of the Investment Managers should be in the first or second quartile of the respective comparative index.

Indices:

Barclay's Intermediate
Standard & Poors 500

INVESTMENT RESTRICTIONS

1. Trading on margin shall be prohibited.
2. Use of derivatives shall be limited to 5% of portfolio.
3. Stock lending shall be prohibited.
4. Only publicly traded securities may be kept in the portfolio.
5. No more than 5% of holdings may be held in non-investment grade funds. (Lower than BAA3 and BBB~Moody's and S&P).
6. No single holding can be more than 5% of the asset class

AUTHORIZED FINANCIAL INSTITUTIONS

The Library Board of Trustees shall designate its public depositories. Any eligible Financial Institution that is authorized to do business within the State of New York may become a public depository of the

funds of the Library Board. In addition, the institution must be deemed creditworthy and reliable in the judgement of the Library Board.

All Public deposits and investments in banks or trust companies that exceed the amounts insured under the provisions of the Federal Deposit Insurance Act (FDIC) must be secured in accordance with the provision of General Municipal Law, section 10.

The bank and trust companies authorized by the Library Board of Trustees for the deposit of Short Term funds:

Lyons National Bank
Canandaigua National Bank
QCI Asset Management

Long Term funds:

The Board recognizes that the Library's Financial Advisor may put funds in out of state and/or international banks and institutions depending on investments chosen.

ACCOUNTABILITY

The Investment Managers will be expected to submit a formal written report to the Board of Trustees quarterly and attend meetings of the Board of Trustees when requested to do so.

Investment performance will be monitored and evaluated by the Board of Trustees. A majority vote of the Board will be required to make changes in Investment Manager if appropriate.

SUMMARY

Other than indicated herein, the Investment Managers have complete investment discretion. It is expected that the assets of the Library Improvement Reserve Fund will be invested with the care, skill, prudence and diligence under the circumstances then prevailing that a prudent person acting in a like capacity and familiar with such matters would use in the investment funds of a like character and with such aims. Preservation of capital is an important consideration in the investment of these assets.

SPENDING/WITHDRAWALS- LIBRARY IMPROVEMENT RESERVE FUND

The Library's Long Term Fund "Improvement Reserve Fund" is to be held in reserve for future Capital Projects decided on by the Board of Trustees.

In order to withdraw funds from any of the Library's "Long Term Fund" accounts, a motion to this effect must be read at the Board of Trustees (Board) meeting held at least one week prior to the current meeting. The motion must be approved at the current meeting, by either a majority of the Board or three (3) of the Trustees, whichever is the greater number. In addition, in order to vote on the motion, a Trustee must have attended three (3) of the four (4) previously regularly scheduled Board meetings and been a Trustee for a minimum of one (1) year.

POLICY REVIEW AND CHANGE PROCEDURE

The Library's Financial Policy will be reviewed annually.

The Board recognizes that if the Policy is being changed easily and often then it may not provide the appropriate framework for the long-term goals of the library. To make changes to this policy a motion to this effect must be read at the previous regularly scheduled meeting of the Board of Trustees. The motion must be approved at the current meeting, by either a majority of the Board or three (3) of the Trustees, whichever is the greater number. In addition, in order to vote on the motion, a Trustee must have attended three (3) of the four (4) previously regularly scheduled Board meetings and been a Trustee for a minimum of one (1) year.

FINANCIAL POLICY ADOPTION

The Library's Financial Policy shall be adopted by resolution of the Library's Board of Trustees. The voting record of yea or nay of each member shall be recorded in the minutes of that meeting.

ACKNOWLEDGEMENT

We, the Board of Trustees of the Gorham Free Library, recognize the importance of adhering to the mission and strategies detailed in this policy and agree to work to fulfill the objectives stated herein, within the guidelines and restrictions, to the best of our ability.

INVESTMENT ADVISORS, QUALIFIED BROKER-DEALERS AND FINANCIAL INSTITUTIONS

All brokers, dealers and other financial institutions that transact investment business with the Gorham Free Library or give advice regarding its investments, must receive, read and comprehend the policy and agree to comply with it before providing any services or transacting any business with the library. This is to be evidenced by a signed statement of receipt of the policy.

I HAVE RECEIVED AND REVIEWED THE FINANCIAL POLICY OF THE GORHAM FREE LIBRARY

_____ - SIGNED BY INVESTMENT PROFESSIONAL

-Adopted by the Gorham Free Library Board of Trustees January 25, 2016

LAST UPDATED AND APPROVED September 23 2019

FINANCIAL POLICY ADDENDUM A:

General Municipal Law, section 10:

§ 10. Deposits of public money; security. 1. For purposes of this section:

a. "Local government" shall mean any municipal corporation, school district, board of cooperative educational services, district corporation, special improvement district governed by a separate board of commissioners, industrial development agency or authority or a public library.

b. "Public funds" shall mean funds of a local government.

c. "Public deposits" shall mean deposits of public funds in a bank or trust company which are available for all uses generally permitted by the bank or trust company to the depositing local government for

actually and finally collected funds under the bank's or trust company's account agreements or policies.

d. "Bank" shall mean a bank as defined by the banking law or a national banking association located and authorized to do business in New York.

e. "Trust company" shall mean a trust company as defined by the banking law and located and authorized to do business in New York.

f. "Eligible securities" shall mean any of the following:

(i) Obligations issued by the United States of America, an agency thereof or a United States government sponsored corporation or obligations fully insured or guaranteed as to the payment of principal and interest by the United States of America, an agency thereof or a United States government sponsored corporation.

(ii) Obligations issued or fully guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank, and the African Development Bank.

(iii) Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the market value of the obligation that represents the amount of the insurance or guaranty.

(iv) Obligations issued or fully insured or guaranteed by this state, obligations issued by a municipal corporation, school district or district corporation of this state or obligations of any public benefit corporation which under a specific state statute may be accepted as security for deposit of public moneys.

(v) Obligations issued by states (other than this state) of the United States rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.

(vi) Obligations of Puerto Rico rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.

(vii) Obligations of counties, cities and other governmental entities of another state having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.

(viii) Obligations of domestic corporations rated in one of the two highest rating categories by at least one nationally recognized statistical rating organization.

(ix) Any mortgage related securities, as defined in the Securities Exchange Act of 1934, as amended, which may be purchased by banks under the limitations established by federal bank regulatory agencies.

(x) Commercial paper and bankers' acceptances issued by a bank (other than the bank with which the money is being deposited or invested) rated in the highest short-term category by at least one nationally recognized statistical rating organization and having maturities of not longer than sixty days from the date they are pledged.

(xi) Zero-coupon obligations of the United States government marketed as "Treasury STRIPS".

g. "Eligible surety bond" shall mean a bond executed by an insurance company authorized to do business in this state, the claims-paying ability of which is rated in the highest rating category by at least two nationally recognized statistical rating organizations.

h. "Eligible letter of credit" shall mean an irrevocable letter of credit issued in favor of the local government for a term not to exceed ninety days by a bank (other than the bank with which the money is being deposited or invested) whose commercial paper and other unsecured short-term debt obligations (or, in the case of a bank which is the principal subsidiary of a holding company, whose holding company's commercial paper and other unsecured short-term debt obligations) are rated in one of the three highest rating categories (based on the credit of such bank or holding company) by at least one nationally recognized statistical rating organization or by a bank (other than the bank with which the money is being deposited or invested) that is in compliance with applicable federal minimum risk-based capital requirements.

2. a. The governing board of every local government shall designate one or more banks or trust companies for the deposit of public funds, the disposition of which is not otherwise provided for by law, received by the chief fiscal officer or any other officer authorized by law to make deposits. Such designation shall be by resolution of the governing board or, in the case of a city, such other body as may be authorized or required by law to designate depositories. Such resolution shall

specify the maximum amount which may be kept on deposit at any time in each such bank or trust company. Such designations and amounts may be changed at any time by further resolution.

b. Except as otherwise provided by law, all deposits shall be made to the credit of the local government. The deposit of public funds pursuant to this subdivision shall release the officer making the deposit and his or her surety from any liability for loss of such public funds by reason of the default or insolvency of any such bank or trust company.

c. The governing board of a local government, in which a banking development district has been designated by the superintendent of banks pursuant to section ninety-six-d of the banking law, may designate a bank, trust company or national bank located in such district for the deposit of public funds, the disposition of which is not otherwise provided for by law, received by the chief fiscal officer or other officer authorized by law to make such deposits. Such designation shall be by resolution of the governing board or, in the case of a city, such other body as may be authorized or required by law to designate depositories. Such resolution shall specify the maximum amount which may be kept on deposit at any time with such bank, trust company or national bank located in such district. Subject to an agreement between such governing board and such banking institution, public funds deposited in such banking institution may earn a fixed interest rate which is at or below such banking institution's posted two year certificate of deposit rate. In those instances where there is such an agreement, its terms and conditions shall also be specified in the resolution. Any such designation, amount, or agreement provisions may be changed at any time by further resolution.

3. All public deposits in excess of the amount insured under the provisions of the Federal Deposit Insurance Act as now or hereafter amended shall be secured in accordance with this subdivision:

a. The officers making a deposit may accept a pledge of eligible securities having in the aggregate a market value at least equal to the aggregate amount of public deposits from such officers, or a pledge of a pro rata portion of a pool of eligible securities having in the aggregate a market value at least equal to the aggregate amount of public deposits from all such officers within the state at such bank or trust company, together with a security agreement from the bank or trust company. The security agreement and custodial agreement referred to below may be the same agreement including when the bank or trust company holding the public deposits holds the collateral for the public body. The security agreement shall provide that such eligible securities or pro rata portion of a pool of eligible securities are being pledged by the bank or trust company as security for the public deposits, together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposit upon a default. It shall also provide for the conditions under which the securities or pro rata portion of a pool of eligible securities held may be sold, presented for payment, substituted or released and the events of default which will enable the local government to exercise its rights against the pledged securities. Such agreement shall include all provisions deemed necessary and sufficient to secure in a satisfactory manner the local government's interest in the collateral. The custodial agreement shall provide that the pledged securities or pro rata portion of a pool of eligible securities will be held by the custodial bank or trust company as agent of, and custodian for, the local government, and will be kept separate and apart from the general assets of the custodial bank or trust company and it shall also provide for the manner in which the custodial bank or trust company shall confirm the receipt, substitution or release of the collateral. Such agreement shall provide for the frequency of revaluation of collateral by the custodial bank or trust company and the substitution of collateral when a change in the rating of a security causes ineligibility pursuant to paragraph f of subdivision one of this section. Such agreement shall include all provisions deemed necessary and sufficient to secure in a satisfactory manner the local government's interest in the collateral. Such agreement may also contain such other provisions as the governing board may deem necessary.

b. Whenever eligible securities delivered to a custodial bank or trust company pursuant to this paragraph are transferred by entries on the books of a federal reserve bank or other book-entry system operated by a federally regulated entity without physical delivery of the evidence of

such obligations, the records of the custodial bank or trust company shall show, at all times, the interest of the local government in such securities or pro rata portion of a pool of eligible securities as set forth in the security agreement.

c. (i) In lieu of or in addition to the deposit of eligible securities, the officers making a deposit may accept an eligible surety bond payable to such local government as security for the payment of one hundred percent, or an eligible letter of credit payable to such local government as security for the payment of one hundred forty percent, of the aggregate amount of public deposits from such officers and the agreed upon interest, if any. The terms and conditions of any eligible surety bond shall be approved by the governing board.

(ii) In lieu of or in addition to the deposit of eligible securities, the officers making a deposit may, in the case of an irrevocable letter of credit issued in favor of the local government by a federal home loan bank whose commercial paper and other unsecured short-term debt obligations are rated in the highest rating category by at least one nationally recognized statistical rating organization, accept such letter of credit payable to such local government as security for the payment of one hundred percent of the aggregate amount of public deposits from such officers and the agreed upon interest, if any.

d. For purposes of determining the market value of securities as required by this subdivision:

(i) The eligible securities described in subparagraphs (viii), (x) and (xi) of paragraph f of subdivision one of this section shall be valued at eighty percent of their market value.

(ii) The eligible securities described in subparagraph (ix) of paragraph f of subdivision one of this section shall be valued at seventy percent of their market value.

(iii) Of the eligible securities described in subparagraphs (v), (vi) and (vii) of paragraph f of subdivision one of this section, those securities rated in the highest category shall be valued at one hundred percent of their market value; those securities rated in the second highest rating category shall be valued at ninety percent of their market value; and those securities rated in the third highest rating category shall be valued at eighty percent of their market value. When two nationally recognized statistical rating organizations rate a security in two different categories, the security shall be considered to be rated in the higher of the two categories.

4. (a) Notwithstanding any other provision of law to the contrary, the chief fiscal officer, or other officer authorized by law to make deposits, may, subject to the approval of the governing body of a local government, by resolution, enter into a contract with a courier service for the purpose of causing the deposit of public funds with a bank or trust company as provided in this section.

(b) The entrusting of public funds for deposit pursuant to paragraph (a) of this subdivision shall release the officer entrusting the public funds to the courier service and his or her surety from any liability for loss of such public funds by the courier service in the process of delivering such public funds to the designated bank or trust company.

(c) The local government authorizing the deposit of public funds by a courier service pursuant to paragraph (a) of this subdivision shall require the courier service to obtain a surety bond for the full amount entrusted to the courier, payable to the local government and executed by an insurance company authorized to do business in this state, the claims paying ability of which is rated in the highest rating category by at least two nationally recognized statistical rating organizations, to insure against any loss of public funds entrusted to the courier service for deposit or failure to deposit the full amount entrusted to the courier.

(d) A deposit made by a courier on behalf of a local government shall be deemed to be a deposit made by the chief fiscal officer or other officer entrusting such funds for purposes of the requirements contained in this section for securing public deposits.

(e) A bank or trust company may, from time to time and as agreed upon with a local government, reimburse all or part of, but not more than, the actual cost incurred by the local government in transporting cash, negotiable instruments or other items for deposit through a courier service. Any such reimbursement agreement shall apply only to a specified deposit transaction, and may be subject to such terms, conditions and limitations as the bank or trust company deems necessary

to ensure sound banking practices, including, but not limited to, any terms, conditions or limitations that may be required by the banking department or other federal or state authority.

FINANCIAL POLICY ADDENDUM B: General Municipal Law, section 39:

§ 39. Investment policies for local governments. 1. Each local government, which for purposes of this section shall include counties, cities, towns, villages, school districts including boards of cooperative educational services and district corporations, within the meaning of that term as set out in subdivision three of section sixty-six of the general construction law, or any other governmental subdivision of the state, shall by resolution adopt a comprehensive investment policy which details the local government's operative policy and instructions to officers and staff regarding the investing, monitoring and reporting of funds of the local government. The investment policy shall be annually reviewed by the local government.

2. Funds of the local government, for purposes of this section, shall consist of all moneys and other financial resources available for investment by the local government on its own behalf or on behalf of any other entity or individual.

3. The investment policy adopted by the local government shall include, but not be limited to, the following:

(a) A list of the permitted types of investments of the local government, which shall be consistent with the appropriate provisions of law relating to the local government and any additional requirements pursuant to any contract with bondholders and noteholders or established by the local government.

(b) Procedures and provisions to secure in a satisfactory manner the local government's financial interest in investments.

(c) Standards for written agreements pursuant to which investments are made. Such standards shall be consistent with the appropriate provisions of law relating to the local government and any additional requirements pursuant to any contract with bondholders and noteholders or established by the local government.

(d) Procedures for the monitoring, control, deposit and retention of investments and collateral.

(e) Standards for security agreements and custodial agreements with banks or trust companies authorized to do business in the state of New York, pursuant to which obligations and collateral are held by such banks and trust companies for the local government. Such standards shall be consistent with the appropriate provisions of law relating to the local government and any additional requirements pursuant to any contract with bondholders and noteholders or established by the local government.

(f) Standards for the diversification of investments, including diversification with respect to the permitted types of investments listed in accordance with paragraph (a) of this subdivision and to the firms with whom the local government transacts business. Such standards may also specify the maximum percentage of moneys available for temporary investment or the maximum dollar amount that the local government is authorized to invest in any one permitted type of investment or pursuant to transactions with any one firm.

(g) Standards for the qualification of firms with whom the local government transacts business, such as criteria covering creditworthiness, experience, capitalization, size and any other factors that make a firm capable and qualified to transact business with the local government.

(h) For purposes of this section, the term "firm" shall include, but not be limited to, a bank or trust company as defined in subdivision one of section ten of this chapter, the lead participant of a cooperative investment agreement as defined in subdivision one of section forty-nine-c of this chapter, and the seller of an obligation that is purchased pursuant to a repurchase agreement.

4. Each local government shall have the power to amend its investment policy from time to time in accordance with the provisions of this

section.

ADDENDUM A:

General Municipal Law, section 10:

§ 10. Deposits of public money; security. 1. For purposes of this section:

- a. "Local government" shall mean any municipal corporation, school district, board of cooperative educational services, district corporation, special improvement district governed by a separate board of commissioners, industrial development agency or authority or a public library.
- b. "Public funds" shall mean funds of a local government.
- c. "Public deposits" shall mean deposits of public funds in a bank or trust company which are available for all uses generally permitted by the bank or trust company to the depositing local government for actually and finally collected funds under the bank's or trust company's account agreement or policies.
- d. "Bank" shall mean a bank as defined by the banking law or a national banking association located and authorized to do business in New York.
- e. "Trust company" shall mean a trust company as defined by the banking law and located and authorized to do business in New York.
- f. "Eligible securities" shall mean any of the following:
 - (i) Obligations issued by the United States of America, an agency thereof or a United States government sponsored corporation or obligations fully insured or guaranteed as to the payment of principal and interest by the United States of America, an agency thereof or a United States government sponsored corporation.
 - (ii) Obligations issued or fully guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank, and the African Development Bank.
 - (iii) Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the market value of the obligation that represents the amount of the insurance or guaranty.
 - (iv) Obligations issued or fully insured or guaranteed by this state, obligations issued by a municipal corporation, school district or district corporation of this state or obligations of any public benefit corporation which under a specific state statute may be accepted as security for deposit of public moneys.
 - (v) Obligations issued by states (other than this state) of the United States rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
 - (vi) Obligations of Puerto Rico rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
 - (vii) Obligations of counties, cities and other governmental entities of another state having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
 - (viii) Obligations of domestic corporations rated in one of the two highest rating categories by at least one nationally recognized statistical rating organization.
 - (ix) Any mortgage related securities, as defined in the Securities Exchange Act of 1934, as amended, which may be purchased by banks under the limitations established by federal bank regulatory agencies.
 - (x) Commercial paper and bankers' acceptances issued by a bank (other than the bank with which the money is being deposited or invested) rated in the highest short-term category by at least one nationally recognized statistical rating organization and having maturities of no longer than sixty days from the date they are pledged.
 - (xi) Zero-coupon obligations of the United States government marketed as "Treasury STRIPS".

g. "Eligible surety bond" shall mean a bond executed by an insurance company authorized to do business in this state, the claims-paying ability of which is rated in the highest rating category by at least two nationally recognized statistical rating organizations.

h. "Eligible letter of credit" shall mean an irrevocable letter of credit issued in favor of the local government for a term not to exceed ninety days by a bank (other than the bank with which the money is being deposited or invested) whose commercial paper and other unsecured short-term debt obligations (or, in the case of a bank which is the principal subsidiary of a holding company, whose holding company's commercial paper and other unsecured short-term debt obligations) are rated in one of the three highest rating categories (based on the credit of such bank or holding company) by at least one nationally recognized statistical rating organization or by a bank (other than the bank with which the money is being deposited or invested) that is in compliance with applicable federal minimum risk-based capital requirements.

2. a. The governing board of every local government shall designate

one or more banks or trust companies for the deposit of public funds, the disposition of which is not otherwise provided for by law, received by the chief fiscal officer or any other officer authorized by law to make deposits. Such designation shall be by resolution of the governing board or, in the case of a city, such other body as may be authorized or required by law to designate depositories. Such resolution shall specify the maximum amount which may be kept on deposit at any time in each such bank or trust company. Such designations and amounts may be changed at any time by further resolution.

b. Except as otherwise provided by law, all deposits shall be made to the credit of the local government. The deposit of public funds pursuant to this subdivision shall release the officer making the deposit and his or her surety from any liability for loss of such public funds by reason of the default or insolvency of any such bank or trust company.

c. The governing board of a local government, in which a banking development district has been designated by the superintendent of banks pursuant to section ninety-six-d of the banking law, may designate a bank, trust company or national bank located in such district for the deposit of public funds, the disposition of which is not otherwise provided for by law, received by the chief fiscal officer or other officer authorized by law to make such deposits. Such designation shall be by resolution of the governing board or, in the case of a city, such other body as may be authorized or required by law to designate depositories. Such resolution shall specify the maximum amount which may be kept on deposit at any time with such bank, trust company or national bank located in such district. Subject to an agreement between such governing board and such banking institution, public funds deposited in such banking institution may earn a fixed interest rate which is at or below such banking institution's posted two year certificate of deposit rate. In those instances, where there is such an agreement, its terms and conditions shall also be specified in the resolution. Any such designation, amount, or agreement provisions may be changed at any time by further resolution.

3. All public deposits in excess of the amount insured under the

provisions of the Federal Deposit Insurance Act as now or hereafter amended shall be secured in accordance with this subdivision:

a. The officers making a deposit may accept a pledge of eligible securities having in the aggregate a market value at least equal to the aggregate amount of public deposits from such officers, or a pledge of a pro rata portion of a pool of eligible securities having in the aggregate a market value at least equal to the aggregate amount of public deposits from all such officers within the state at such bank or trust company, together with a security agreement from the bank or trust company. The security agreement and custodial agreement referred to below may be the same agreement including when the bank or trust company holding the public deposits holds the collateral for the public body. The security agreement shall provide that such eligible securities or pro rata portion of a pool of eligible securities are being pledged by the bank or trust company as security for the public deposits, together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposit upon a default. It shall also provide for the conditions under which the securities or pro rata portion of a pool of eligible securities held may be sold, presented for payment,

substituted or released and the events of default which will enable the local government to exercise its rights against the pledged securities. Such agreement shall include all provisions deemed necessary and sufficient to secure in a satisfactory manner the local government's interest in the collateral. The custodial agreement shall provide that the pledged securities or pro rata portion of a pool of eligible securities will be held by the custodial bank or trust company as agent of, and custodian for, the local government, and will be kept separate and apart from the general assets of the custodial bank or trust company and it shall also provide for the manner in which the custodial bank or trust company shall confirm the receipt, substitution or release of the collateral. Such agreement shall provide for the frequency of revaluation of collateral by the custodial bank or trust company and the substitution of collateral when a change in the rating of a security causes ineligibility pursuant to paragraph f of subdivision one of this section. Such agreement shall include all provisions deemed necessary and sufficient to secure in a satisfactory manner the local government's interest in the collateral. Such agreement may also contain such other provisions as the governing board may deem necessary.

b. Whenever eligible securities delivered to a custodial bank or trust company pursuant to this paragraph are transferred by entries on the books of a federal reserve bank or other book-entry system operated by a federally regulated entity without physical delivery of the evidence of such obligations, the records of the custodial bank or trust company shall show, at all times, the interest of the local government in such securities or pro rata portion of a pool of eligible securities as set forth in the security agreement.

c. (i) In lieu of or in addition to the deposit of eligible securities, the officers making a deposit may accept an eligible surety bond payable to such local government as security for the payment of one hundred percent, or an eligible letter of credit payable to such local government as security for the payment of one hundred forty percent, of the aggregate amount of public deposits from such officers and the agreed upon interest, if any. The terms and conditions of any eligible surety bond shall be approved by the governing board.

(ii) In lieu of or in addition to the deposit of eligible securities, the officers making a deposit may, in the case of an irrevocable letter of credit issued in favor of the local government by a federal home loan bank whose commercial paper and other unsecured short-term debt obligations are rated in the highest rating category by at least one nationally recognized statistical rating organization, accept such letter of credit payable to such local government as security for the payment of one hundred percent of the aggregate amount of public deposits from such officers and the agreed upon interest, if any.

d. For purposes of determining the market value of securities as required by this subdivision:

(i) The eligible securities described in subparagraphs (viii), (x) and (xi) of paragraph f of subdivision one of this section shall be valued at eighty percent of their market value.

(ii) The eligible securities described in subparagraph (ix) of paragraph f of subdivision one of this section shall be valued at seventy percent of their market value.

(iii) Of the eligible securities described in subparagraphs (v), (vi) and (vii) of paragraph f of subdivision one of this section, those securities rated in the highest category shall be valued at one hundred percent of their market value; those securities rated in the second highest rating category shall be valued at ninety percent of their market value; and those securities rated in the third highest rating category shall be valued at eighty percent of their market value. When two nationally recognized statistical rating organizations rate a security in two different categories, the security shall be considered to be rated in the higher of the two categories.

4. (a) Notwithstanding any other provision of law to the contrary, the chief fiscal officer, or other officer authorized by law to make deposits, may, subject to the approval of the governing body of a local government, by resolution, enter into a contract with a courier service for the purpose of causing the deposit of public funds with a bank or trust company as provided in this section.

(b) The entrusting of public funds for deposit pursuant to paragraph (a) of this subdivision shall release the officer entrusting the public funds to the courier service and his or her surety from any liability

for loss of such public funds by the courier service in the process of delivering such public funds to the designated bank or trust company.

(c) The local government authorizing the deposit of public funds by a courier service pursuant to paragraph (a) of this subdivision shall require the courier service to obtain a surety bond for the full amount entrusted to the courier, payable to the local government and executed by an insurance company authorized to do business in this state, the claims paying ability of which is rated in the highest rating category by at least two nationally recognized statistical rating organizations, to insure against any loss of public funds entrusted to the courier service for deposit or failure to deposit the full amount entrusted to the courier.

(d) A deposit made by a courier on behalf of a local government shall be deemed to be a deposit made by the chief fiscal officer or other officer entrusting such funds for purposes of the requirements contained in this section for securing public deposits.

(e) A bank or trust company may, from time to time and as agreed upon with a local government, reimburse all or part of, but not more than, the actual cost incurred by the local government in transporting cash, negotiable instruments or other items for deposit through a courier service. Any such reimbursement agreement shall apply only to a specified deposit transaction, and may be subject to such terms, conditions and limitations as the bank or trust company deems necessary to ensure sound banking practices, including, but not limited to, any terms, conditions or limitations that may be required by the banking department or other federal or state authority.

ADDENDUM B:

General Municipal Law, section 39:

§ 39. Investment policies for local governments. 1. Each local government, which for purposes of this section shall include counties, cities, towns, villages, school districts including boards of cooperative educational services and district corporations, within the meaning of that term as set out in subdivision three of section sixty-six of the general construction law, or any other governmental subdivision of the state, shall by resolution adopt a comprehensive investment policy which details the local government's operative policy and instructions to officers and staff regarding the investing, monitoring and reporting of funds of the local government. The investment policy shall be annually reviewed by the local government.

2. Funds of the local government, for purposes of this section, shall consist of all moneys and other financial resources available for investment by the local government on its own behalf or on behalf of any other entity or individual.

3. The investment policy adopted by the local government shall include, but not be limited to, the following:

(a) A list of the permitted types of investments of the local government, which shall be consistent with the appropriate provisions of law relating to the local government and any additional requirements pursuant to any contract with bondholders and noteholders or established by the local government.

(b) Procedures and provisions to secure in a satisfactory manner the local government's financial interest in investments.

(c) Standards for written agreements pursuant to which investments are made. Such standards shall be consistent with the appropriate provisions of law relating to the local government and any additional requirements pursuant to any contract with bondholders and noteholders or established by the local government.

(d) Procedures for the monitoring, control, deposit and retention of investments and collateral.

(e) Standards for security agreements and custodial agreements with banks or trust companies authorized to do business in the state of New York, pursuant to which obligations and collateral are held by such banks and trust companies for the local government. Such standards shall be consistent with the appropriate provisions of law relating to the local government and any additional requirements pursuant to any contract with bondholders and noteholders or established by the local

government.

(f) Standards for the diversification of investments, including diversification with respect to the permitted types of investments listed in accordance with paragraph (a) of this subdivision and to the firms with whom the local government transacts business. Such standards may also specify the maximum percentage of moneys available for temporary investment or the maximum dollar amount that the local government is authorized to invest in any one permitted type of investment or pursuant to transactions with any one firm.

(g) Standards for the qualification of firms with whom the local government transacts business, such as criteria covering creditworthiness, experience, capitalization, size and any other factors that make a firm capable and qualified to transact business with the local government.

(h) For purposes of this section, the term "firm" shall include, but not be limited to, a bank or trust company as defined in subdivision one of section ten of this chapter, the lead participant of a cooperative investment agreement as defined in subdivision one of section forty-nine-c of this chapter, and the seller of an obligation that is purchased pursuant to a repurchase agreement.

4. Each local government shall have the power to amend its investment policy from time to time in accordance with the provisions of this section.

APPENDIX A

OPEN MEETINGS LAW

PUBLIC OFFICERS LAW, ARTICLE 7

OPEN MEETINGS LAW

Section 100. Legislative declaration.

Section 101. Short title.

Section 102. Definitions.

Section 103. Open meetings and executive sessions.

Section 104. Public notice.

Section 105. Conduct of executive sessions.

Section 106. Minutes.

Section 107. Enforcement.

Section 108. Exemptions.

Section 109. Committee on open government.

Section 110. Construction with other laws.

Section 111. Severability.

§100. Legislative declaration.

It is essential to the maintenance of a democratic society that the public business be performed in an open and public manner and that the citizens of this state be fully aware of and able to observe the performance of public officials and attend and listen to the deliberations and decisions that go into the making of public policy. The people must be able to remain informed if they are to retain control over those who are their public servants. It is the only climate under which the commonweal will prosper and enable the governmental process to operate for the benefit of those who created it.

§101. Short title. This article shall be known and may be cited as "Open Meetings Law".

§102. Definitions. As used in this article:

1. "Meeting" means the official convening of a public body for the purpose of conducting public business, including the use of videoconferencing for attendance and participation by the members of the public body.

2. "Public body" means any entity, for which a quorum is required in order to conduct public business and which consists of two or more members, performing a governmental function for the state or for an agency or department thereof, or for a public corporation as defined in section sixty-six of the general construction law, or committee or subcommittee or other similar body of such public body.

3. "Executive session" means that portion of a meeting not open to the general public.

§103. Open meetings and executive sessions.

(a) Every meeting of a public body shall be open to the general public, except that an executive session of such body may be called and business transacted thereat in accordance with section one hundred five of this article.

(b) Public bodies shall make or cause to be made all reasonable efforts to ensure that meetings are held in facilities that permit barrier-free physical access to the physically handicapped, as defined in subdivision five of section fifty of the public buildings law.

(c) A public body that uses videoconferencing to conduct its meetings shall provide an opportunity to attend, listen and observe at any site at which a member participates.

(d) Public bodies shall make or cause to be made all reasonable efforts to ensure that meetings are held in an appropriate facility which can adequately accommodate members of the public who wish to attend such meetings.

1. Any meeting of a public body that is open to the public shall be open to being photographed, broadcast, webcast, or otherwise recorded and/or transmitted by audio or video means. As used herein the term "broadcast" shall also include the transmission of signals by cable.

2. A public body may adopt rules, consistent with recommendations from the committee on open government, reasonably governing the location of equipment and personnel used to photograph, broadcast, webcast, or otherwise record a meeting so as to conduct its proceedings in an orderly manner. Such rules shall be conspicuously posted during meetings and written copies shall be provided upon request to those in attendance.

(e) Agency records available to the public pursuant to article six of this chapter, as well as any proposed resolution, law, rule, regulation, policy or any amendment thereto, that is scheduled to be the subject of discussion by a public body during an open meeting shall be made available, upon request therefor, to the extent practicable as determined by the agency or the department, prior to or at the meeting during which the records will be discussed. Copies of such records may be made available for a reasonable fee, determined in the same manner as provided therefor in article six of this chapter. If the agency in which a public body functions maintains a regularly and routinely updated website and utilizes a high speed internet connection, such records shall be posted on the website to the extent practicable as determined by the agency or the department, prior to the meeting. An agency may, but shall not be required to, expend additional moneys to implement the provisions of this subdivision.

§104. Public notice.

1. Public notice of the time and place of a meeting scheduled at least one week prior thereto shall be given to the news media and shall be conspicuously posted in one or more designated public locations at least seventy-two hours before such meeting.

2. Public notice of the time and place of every other meeting shall be given, to the extent practicable, to the news media and shall be conspicuously posted in one or more designated public locations at a reasonable time prior thereto.

3. The public notice provided for by this section shall not be construed to require publication as a legal notice.

4. If videoconferencing is used to conduct a meeting, the public notice for the meeting shall inform the public that videoconferencing will be used, identify the locations for the meeting, and state that the public has the right to attend the meeting at any of the locations.

5. When a public body has the ability to do so, notice of the time and place of a meeting given in accordance with subdivision one or two of this section, shall also be conspicuously posted on the public body's internet website.

§105. Conduct of executive sessions.

1. Upon a majority vote of its total membership, taken in an open meeting pursuant to a motion identifying the general area or areas of the subject or subjects to be considered, a public body may conduct an executive session for the below enumerated purposes only, provided, however, that no action by formal vote shall be taken to appropriate public moneys:

a. matters which will imperil the public safety if disclosed;

b. any matter which may disclose the identity of a law enforcement agent or informer;

c. information relating to current or future investigation or prosecution of a criminal offense which would imperil effective law enforcement if disclosed;

d. discussions regarding proposed, pending or current litigation;

e. collective negotiations pursuant to article fourteen of the civil service law;

f. the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation;

g. the preparation, grading or administration of examinations; and

h. the proposed acquisition, sale or lease of real property or the proposed acquisition of securities, or sale or exchange of securities held by such public body, but only when publicity would substantially affect the value thereof.

2. Attendance at an executive session shall be permitted to any member of the public body and any other persons authorized by the public body.

§106. Minutes.

1. Minutes shall be taken at all open meetings of a public body which shall consist of a record or summary of all motions, proposals, resolutions and any other matter formally voted upon and the vote thereon.

2. Minutes shall be taken at executive sessions of any action that is taken by formal vote which shall consist of a record or summary of the final determination of such action, and the date and vote thereon; provided, however, that such

summary need not include any matter which is not required to be made public by the freedom of information law as added by article six of this chapter.

3. Minutes of meetings of all public bodies shall be available to the public in accordance with the provisions of the freedom of information law within two weeks from the date of such meeting except that minutes taken pursuant to subdivision two hereof shall be available to the public within one week from the date of the executive session.

§107. Enforcement.

1. Any aggrieved person shall have standing to enforce the provisions of this article against a public body by the commencement of a proceeding pursuant to article seventy-eight of the civil practice law and rules, and/or an action for declaratory judgment and injunctive relief. In any such action or proceeding, if a court determines that a public body failed to comply with this article, the court shall have the power, in its discretion, upon good cause shown, to declare that the public body violated this article and/or declare the action taken in relation to such violation void, in whole or in part, without prejudice to reconsideration in compliance with this article. If the court determines that a public body has violated this article, the court may require the members of the public body to participate in a training session concerning the obligations imposed by this article conducted by the staff of the committee on open government. An unintentional failure to fully comply with the notice provisions required by this article shall not alone be grounds for invalidating any action taken at a meeting of a public body. The provisions of this article shall not affect the validity of the authorization, acquisition, execution or disposition of a bond issue or notes.

2. In any proceeding brought pursuant to this section, costs and reasonable attorney fees may be awarded by the court, in its discretion, to the successful party. If a court determines that a vote was taken in material violation of this article, or that substantial deliberations relating thereto occurred in private prior to such vote, the court shall award costs and reasonable attorney's fees to the successful petitioner, unless there was a reasonable basis for a public body to believe that a closed session could properly have been held.

3. The statute of limitations in an article seventy-eight proceeding with respect to an action taken at executive session shall commence to run from the date the minutes of such executive session have been made available to the public.

§108. Exemptions. Nothing contained in this article shall be construed as extending the provisions hereof to:

1. judicial or quasi-judicial proceedings, except proceedings of the public service commission and zoning boards of appeals;

2. a. deliberations of political committees, conferences and caucuses.

b. for purposes of this section, the deliberations of political committees, conferences and caucuses means a private meeting of members of the senate or assembly of the state of New York, or of the legislative body of a county, city, town or village, who are members or adherents of the same political party, without regard to

(i) the subject matter under discussion, including discussions of public business,

(ii) the majority or minority status of such political committees, conferences and caucuses or

(iii) whether such political committees, conferences and caucuses invite staff or guests to participate in their deliberations; and

3. any matter made confidential by federal or state law.

§109. Committee on open government. The committee on open government, created by paragraph

(a) of subdivision one of section eighty-nine of this chapter, shall issue advisory opinions from time to time as, in its discretion, may be required to inform public bodies and persons of the interpretations of the provisions of the open meetings law.

§110. Construction with other laws.

1. Any provision of a charter, administrative code, local law, ordinance, or rule or regulation affecting a public body which is more restrictive with respect to public access than this article shall be deemed superseded hereby to the extent that such provision is more restrictive than this article.

2. Any provision of general, special or local law or charter, administrative code, ordinance, or rule or regulation less restrictive with respect to public access than this article shall not be deemed superseded hereby.

3. Notwithstanding any provision of this article to the contrary, a public body may adopt provisions less restrictive with respect to public access than this article

§111. Severability. If any provision of this article or the application thereof to any person or circumstances is adjudged invalid by a court of competent jurisdiction such judgment shall not affect or impair the validity of the other provisions of the article or the application thereof to other persons and circumstances.

APPENDIX B

Evaluating Library Collections: An Interpretation of the Library Bill of Rights

The continuous review of library materials is necessary as a means of maintaining an active library collection of current interest to users. In the process, materials may be added and physically deteriorated or obsolete materials may be replaced or removed in accordance with the collection maintenance policy of a given library and the needs of the community it serves. Continued evaluation is closely related to the goals and responsibilities of each library and is a valuable tool of collection development. This procedure is not to be used as a convenient means to remove materials that might be viewed as controversial or objectionable. Such abuse of the evaluation function violates the principles of intellectual freedom and is in opposition to the

Preamble and Articles I and II of the Library Bill of Rights, which state:

The American Library Association affirms that all libraries are forums for information and ideas, and that the following basic policies should guide their services.

I. Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation.

II. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.

The American Library Association opposes internal censorship and strongly urges that libraries adopt guidelines setting forth the positive purposes and principles of evaluation of materials in library collections.

Adopted February 2, 1973; amended July 1, 1981; July 2, 2008

APPENDIX C

FREEDOM TO READ

The freedom to read is essential to our democracy. It is continuously under attack. Private groups and public authorities in various parts of the country are working to remove or limit access to reading materials, to censor content in schools, to label "controversial" views, to distribute lists of "objectionable" books or authors, and to purge libraries. These actions apparently rise from a view that our national tradition of free expression is no longer valid; that censorship and suppression are needed to counter threats to safety or national security, as well as to avoid the subversion of politics and the corruption of morals. We, as individuals devoted to reading and as librarians and publishers responsible for disseminating ideas, wish to assert the public interest in the preservation of the freedom to read.

Most attempts at suppression rest on a denial of the fundamental premise of democracy: that the ordinary individual, by exercising critical judgment, will select the good and reject the bad. We trust Americans to recognize propaganda and misinformation, and to make their own decisions about what they read and believe. We do not believe they are prepared to sacrifice their heritage of a free press in order to be "protected" against what others think may be bad for them. We believe they still favor free enterprise in ideas and expression.

These efforts at suppression are related to a larger pattern of pressures being brought against education, the press, art and images, films, broadcast media, and the Internet. The problem is not only one of actual censorship. The shadow of fear cast

by these pressures leads, we suspect, to an even larger voluntary curtailment of expression by those who seek to avoid controversy or unwelcome scrutiny by government officials.

Such pressure toward conformity is perhaps natural to a time of accelerated change. And yet suppression is never more dangerous than in such a time of social tension. Freedom has given the United States the elasticity to endure strain. Freedom keeps open the path of novel and creative solutions, and enables change to come by choice. Every silencing of a heresy, every enforcement of an orthodoxy, diminishes the toughness and resilience of our society and leaves it the less able to deal with controversy and difference.

Now as always in our history, reading is among our greatest freedoms. The freedom to read and write is almost the only means for making generally available ideas or manners of expression that can initially command only a small audience. The written word is the natural medium for the new idea and the untried voice from which come the original contributions to social growth. It is essential to the extended discussion that serious thought requires, and to the accumulation of knowledge and ideas into organized collections.

We believe that free communication is essential to the preservation of a free society and a creative culture. We believe that these pressures toward conformity present the danger of limiting the range and variety of inquiry and expression on which our democracy and our culture depend. We believe that every American community must jealously guard the freedom to publish and to circulate, in order to preserve its own freedom to read. We believe that publishers and librarians have a profound responsibility to give validity to that freedom to read by making it possible for the readers to choose freely from a variety of offerings.

The freedom to read is guaranteed by the Constitution. Those with faith in free people will stand firm on these constitutional guarantees of essential rights and will exercise the responsibilities that accompany these rights.

We therefore affirm these propositions:

1. *It is in the public interest for publishers and librarians to make available the widest diversity of views and expressions, including those that are unorthodox, unpopular, or considered dangerous by the majority.*
2. Creative thought is by definition new, and what is new is different. The bearer of every new thought is a rebel until that idea is refined and tested. Totalitarian systems attempt to maintain themselves in power by the ruthless suppression of any concept that challenges the established orthodoxy. The power of a democratic system to adapt to change is vastly strengthened by the freedom of its citizens to choose widely from among conflicting opinions offered freely to them. To stifle every nonconformist idea at birth would mark the end of the democratic process. Furthermore, only through the constant activity of weighing and selecting can the democratic mind attain the strength demanded by times like these. We need to know not only what we believe but why we believe it.
3. *Publishers, librarians, and booksellers do not need to endorse every idea or presentation they make available. It would conflict with the public interest for them to establish their own political, moral, or aesthetic views as a standard for determining what should be published or circulated.*
4. Publishers and librarians serve the educational process by helping to make available knowledge and ideas required for the growth of the mind and the increase of learning. They do not foster education by imposing as mentors the patterns of their own thought. The people should have the freedom to read and consider a broader range of ideas than those that may be held by any single librarian or publisher or government or church. It is wrong that what one can read should be confined to what another thinks proper.
5. *It is contrary to the public interest for publishers or librarians to bar access to writings on the basis of the personal history or political affiliations of the author.*
6. No art or literature can flourish if it is to be measured by the political views or private lives of its creators. No society of free people can flourish that draws up lists of writers to whom it will not listen, whatever they may have to say.
7. *There is no place in our society for efforts to coerce the taste of others, to confine adults to the reading matter deemed suitable for adolescents, or to inhibit the efforts of writers to achieve artistic expression.*
8. To some, much of modern expression is shocking. But is not much of life itself shocking? We cut off literature at the source if we prevent writers from dealing with the stuff of life. Parents and teachers have a responsibility to prepare the young to meet the diversity of experiences in life to which they will be exposed, as they have a responsibility to help them learn to think critically for themselves. These are affirmative responsibilities, not to be discharged simply by preventing them from reading works for which they are not yet prepared. In these matters

values differ, and values cannot be legislated; nor can machinery be devised that will suit the demands of one group without limiting the freedom of others.

9. *It is not in the public interest to force a reader to accept the prejudgment of a label characterizing any expression or its author as subversive or dangerous.*
10. The ideal of labeling presupposes the existence of individuals or groups with wisdom to determine by authority what is good or bad for others. It presupposes that individuals must be directed in making up their minds about the ideas they examine. But Americans do not need others to do their thinking for them.
11. *It is the responsibility of publishers and librarians, as guardians of the people's freedom to read, to contest encroachments upon that freedom by individuals or groups seeking to impose their own standards or tastes upon the community at large; and by the government whenever it seeks to reduce or deny public access to public information.*
12. It is inevitable in the give and take of the democratic process that the political, the moral, or the aesthetic concepts of an individual or group will occasionally collide with those of another individual or group. In a free society individuals are free to determine for themselves what they wish to read, and each group is free to determine what it will recommend to its freely associated members. But no group has the right to take the law into its own hands, and to impose its own concept of politics or morality upon other members of a democratic society. Freedom is no freedom if it is accorded only to the accepted and the inoffensive. Further, democratic societies are more safe, free, and creative when the free flow of public information is not restricted by governmental prerogative or self-censorship.
13. *It is the responsibility of publishers and librarians to give full meaning to the freedom to read by providing books that enrich the quality and diversity of thought and expression. By the exercise of this affirmative responsibility, they can demonstrate that the answer to a "bad" book is a good one, the answer to a "bad" idea is a good one.*
14. The freedom to read is of little consequence when the reader cannot obtain matter fit for that reader's purpose. What is needed is not only the absence of restraint, but the positive provision of opportunity for the people to read the best that has been thought and said. Books are the major channel by which the intellectual inheritance is handed down, and the principal means of its testing and growth. The defense of the freedom to read requires of all publishers and librarians the utmost of their faculties, and deserves of all Americans the fullest of their support.

We state these propositions neither lightly nor as easy generalizations. We here stake out a lofty claim for the value of the written word. We do so because we believe that it is possessed of enormous variety and usefulness, worthy of cherishing and keeping free. We realize that the application of these propositions may mean the dissemination of ideas and manners of expression that are repugnant to many persons. We do not state these propositions in the comfortable belief that what people read is unimportant. We believe rather that what people read is deeply important; that ideas can be dangerous; but that the suppression of ideas is fatal to a democratic society. Freedom itself is a dangerous way of life, but it is ours.

APPENDIX D

FREEDOM TO VIEW

The FREEDOM TO VIEW, along with the freedom to speak, to hear, and to read, is protected by the First Amendment to the Constitution of the United States. In a free society, there is no place for censorship of any medium of expression. Therefore these principles are affirmed:

1. To provide the broadest access to film, video, and other audiovisual materials because they are a means for the communication of ideas. Liberty of circulation is essential to insure the constitutional guarantees of freedom of expression.
2. To protect the confidentiality of all individuals and institutions using film, video, and other audiovisual materials.
3. To provide film, video, and other audiovisual materials which represent a diversity of views and expression. Selection of a work does not constitute or imply agreement with or approval of the content.

4. To provide a diversity of viewpoints without the constraint of labeling or prejudging film, video, or other audiovisual materials on the basis of the moral, religious, or political beliefs of the producer or filmmaker or on the basis of controversial content.
5. To contest vigorously, by all lawful means, every encroachment upon the public's freedom to view.

APPENDIX E

Restricted Access to Library Materials: An Interpretation of the Library Bill of Rights

Libraries are a traditional forum for the open exchange of information. Restricting access to library materials violates the basic tenets of the American Library Association's *Library Bill of Rights*.

Some libraries block access to certain materials by placing physical or virtual barriers between the user and those materials. For example, materials are sometimes labeled for content or placed in a "locked case," "adults only," "restricted shelf," or "high-demand" collection. Access to certain materials is sometimes restricted to protect them from theft or mutilation, or because of statutory authority or institutional mandate.

In some libraries, access is restricted based on computerized reading management programs that assign reading levels to books and/or users and limit choices to titles on the program's reading list. Titles not on the reading management list have been removed from the collection in some school libraries. Organizing collections by reading management program level, ability, grade, or age level is another example of restricted access. Even though the chronological age or grade level of users is not representative of their information needs or total reading abilities, users may feel inhibited from selecting resources located in areas that do not correspond to their assigned characteristics.

Physical restrictions and content filtering of library resources and services may generate psychological, service, or language skills barriers to access as well. Because restricted materials often deal with controversial, unusual, or sensitive subjects, having to ask a library worker for access to them may be embarrassing or inhibiting for patrons desiring access. Even when a title is listed in the catalog with a reference to its restricted status, a barrier is placed between the patron and the publication. (See also "Labeling and Rating Systems.") Because restricted materials often feature information that some people consider objectionable, potential library users may be predisposed to think of labeled and filtered resources as objectionable and be discouraged from asking for access to them.

Federal and some state statutes require libraries that accept specific types of federal and/or state funding to install content filters that limit access to Internet resources for minors and adults. Internet filters applied to Internet resources in some libraries may prevent users from finding targeted categories of information, much of which is constitutionally protected. The use of Internet filters must be addressed through library policies and procedures to ensure that users receive information and that filters do not prevent users from exercising their First Amendment rights. Users have the right to unfiltered access to constitutionally protected information. (See also "Access to Digital Information, Services, and Networks.")

Library policies that restrict access to resources for any reason must be carefully formulated and administered to ensure they do not violate established principles of intellectual freedom. This caution is reflected in ALA policies, such as "Evaluating Library Collections," "Free Access to Libraries for Minors," "Preservation Policy," and the ACRL "Code of Ethics for Special Collections Librarians."

Donated resources require special consideration. In keeping with the "Joint Statement on Access" of the American Library Association and Society of American Archivists, libraries should avoid accepting donor agreements or entering into contracts that impose permanent restrictions on special collections. As stated in the "Joint Statement on Access," it is the responsibility of a library with such collections "to make available original research materials in its possession on equal terms of access."

A primary goal of the library profession is to facilitate access to all points of view on current and historical issues. All proposals for restricted access should be carefully scrutinized to ensure that the purpose is not to suppress a viewpoint or to place a barrier between users and content. Libraries must maintain policies and procedures that serve the diverse needs of their users and protect the First Amendment right to receive information.

Adopted February 2, 1973, by the ALA Council; amended July 1, 1981; July 3, 1991; July 12, 2000; June 30, 2004; January 28, 2009; and July 1, 2014.

APPENDIX F

Free Access to Libraries for Minors: An Interpretation of the Library Bill of Rights

Library policies and procedures that effectively deny minors equal and equitable access to all library resources available to other users violate the [Library Bill of Rights](#). The American Library Association opposes all attempts to restrict access to library services, materials, and facilities based on the age of library users.

Article V of the Library Bill of Rights states, "A person's right to use a library should not be denied or abridged because of origin, age, background, or views." The "right to use a library" includes free access to, and unrestricted use of, all the services, materials, and facilities the library has to offer. Every restriction on access to, and use of, library resources, based solely on the chronological age, educational level, literacy skills, or legal emancipation of users violates Article V.

Libraries are charged with the mission of developing resources to meet the diverse information needs and interests of the communities they serve. Services, materials, and facilities that fulfill the needs and interests of library users at different stages in their personal development are a necessary part of library resources. The needs and interests of each library user, and resources appropriate to meet those needs and interests, must be determined on an individual basis. Librarians cannot predict what resources will best fulfill the needs and interests of any individual user based on a single criterion such as chronological age, educational level, literacy skills, or legal emancipation.

Libraries should not limit the selection and development of library resources simply because minors will have access to them. Institutional self-censorship diminishes the credibility of the library in the community, and restricts access for all library users.

Children and young adults unquestionably possess [First Amendment](#) rights, including the right to receive information in the library. Constitutionally protected speech cannot be suppressed solely to protect children or young adults from ideas or images a legislative body believes to be unsuitable for them.¹ Librarians and library governing bodies should not resort to age restrictions in an effort to avoid actual or anticipated objections, because only a court of law can determine whether material is not constitutionally protected.

The mission, goals, and objectives of libraries cannot authorize librarians or library governing bodies to assume, abrogate, or overrule the rights and responsibilities of parents. As "[Libraries: An American Value](#)" states, "We affirm the responsibility and the right of all parents and guardians to guide their own children's use of the library and its resources and services." Librarians and governing bodies should maintain that parents—and only parents—have the right and the responsibility to restrict the access of their children—and only their children—to library resources. Parents who do not want their children to have access to certain library services, materials, or facilities should so advise their children. Librarians and library governing bodies cannot assume the role of parents or the functions of parental authority in the private relationship between parent and child.

Lack of access to information can be harmful to minors. Librarians and library governing bodies have a public and professional obligation to ensure that all members of the community they serve have free, equal, and equitable access to the entire range of library resources regardless of content, approach, format, or amount of detail. This principle of library

service applies equally to all users, minors as well as adults. Librarians and library governing bodies must uphold this principle in order to provide adequate and effective service to minors.

¹See [Erznoznik v. City of Jacksonville](#), 422 U.S. 205 (1975)-"Speech that is neither obscene as to youths nor subject to some other legitimate proscription cannot be suppressed solely to protect the young from ideas or images that a legislative body thinks unsuitable [422 U.S. 205, 214] for them. In most circumstances, the values protected by the First Amendment are no less applicable when government seeks to control the flow of information to minors. See [Tinker v. Des Moines School Dist.](#), supra. Cf. [West Virginia Bd. of Ed. v. Barnette](#), 319 U.S. 624 (1943)."

Adopted June 30, 1972, by the ALA Council; amended July 1, 1981; July 3, 1991, June 30, 2004.

APPENDIX G

Labeling Systems: An Interpretation of the Library Bill of Rights

The American Library Association affirms the rights of individuals to form their own opinions about resources they choose to read, view, listen to, or otherwise access. Libraries do not advocate the ideas found in their collections or in resources accessible through the library. The presence of books and other resources in a library does not indicate endorsement of their contents by the library. Likewise, providing access to digital information does not indicate endorsement or approval of that information by the library. Labeling systems present distinct challenges to these intellectual freedom principles.

Labels may be a library-sanctioned means of organizing resources or providing guidance to users. They may be as simple as a colored dot or strip of tape indicating reference books or fiction or as elaborate as the Dewey Decimal or Library of Congress call number systems.

Labels as viewpoint-neutral directional aids are intended to facilitate access by making it easier for users to locate resources. Users may choose to consult or ignore the directional aids at their own discretion. Viewpoint-neutral directional labels are a convenience designed to save time. These are different in intent from attempts to prejudice, discourage, or encourage users to access particular library resources or to restrict access to library resources. Labeling as an attempt to prejudice attitudes is a censor's tool. The American Library Association opposes labeling as a means of predisposing people's attitudes toward library resources.

Prejudicial labels are designed to restrict access, based on a value judgment that the content, language, or themes of the resource, or the background or views of the creator(s) of the resource, render it inappropriate or offensive for all or certain groups of users. The prejudicial label is used to warn, discourage, or prohibit users or certain groups of users from accessing the resource. Such labels sometimes are used to place materials in restricted locations where access depends on staff intervention.

Directional aids can also have the effect of prejudicial labels when their implementation becomes proscriptive rather than descriptive. When directional aids are used to forbid access or to suggest moral or doctrinal endorsement, the effect is the same as prejudicial labeling. Even well-intentioned labels may have this effect.

Prejudicial labeling systems assume that the libraries have the institutional wisdom to determine what is appropriate or inappropriate for its users to access. They presuppose that individuals must be directed in making up their minds about the ideas they examine. The American Library Association opposes the use of prejudicial labeling systems and affirms the rights of individuals to form their own opinions about resources they choose to read, view, listen to, or otherwise access.

Adopted on June 30, 2015, by ALA Council.

APPENDIX H

Expurgation of Library Materials: An Interpretation of the Library Bill of Rights

Expurgating library materials is a violation of the [Library Bill of Rights](#). Expurgation as defined by this interpretation includes any deletion, excision, alteration, editing, or obliteration of any part(s) of books or other library resources by the library, its agent, or its parent institution (if any). By such expurgation, the library is in effect denying access to the complete work and the entire spectrum of ideas that the work intended to express. Such action stands in violation of Articles I, II, and III of the [Library Bill of Rights](#), which state that "Materials should not be excluded because of the origin, background, or views of those contributing to their creation," that "Materials should not be proscribed or removed because of partisan or doctrinal disapproval," and that "Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment."

The act of expurgation has serious implications. It involves a determination that it is necessary to restrict access to the complete work. This is censorship. When a work is expurgated, under the assumption that certain portions of that work would be harmful to minors, the situation is no less serious.

Expurgation of any books or other library resources imposes a restriction, without regard to the rights and desires of all library users, by limiting access to ideas and information. (See also other [Interpretations to the Library Bill of Rights](#), including [Access to Electronic Information, Services, and Networks](#) and [Free Access to Libraries for Minors](#).)

Further, expurgation without written permission from the holder of the copyright on the material may violate the copyright provisions of the United States Code.

Adopted February 2, 1973, by the ALA Council; amended July 1, 1981; January 10, 1990

APPENDIX I

Diversity in Collection Development: An Interpretation of the Library Bill of Rights

Throughout history, the focus of censorship has fluctuated from generation to generation. Books and other materials have not been selected or have been removed from library collections for many reasons, among which are prejudicial language and ideas, political content, economic theory, social philosophies, religious beliefs, sexual forms of expression, and other potentially controversial topics.

Some examples of censorship may include removing or not selecting materials because they are considered by some as racist or sexist; not purchasing conservative religious materials; not selecting materials about or by minorities because it is thought these groups or interests are not represented in a community; or not providing information on or materials from non-mainstream political entities.

Librarians may seek to increase user awareness of materials on various social concerns by many means, including, but not limited to, issuing bibliographies and presenting exhibits and programs. Librarians have a professional responsibility to be inclusive, not exclusive, in collection development and in the provision of interlibrary loan. Access to all materials legally obtainable should be assured to the user, and policies should not unjustly exclude materials even if they are offensive to the librarian or the user. Collection development should reflect the philosophy inherent in Article II of the [Library Bill of](#)

Rights: “Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.” A balanced collection reflects a diversity of materials, not an equality of numbers. Collection development responsibilities include selecting materials in the languages in common use in the community the library serves. Collection development and the selection of materials should be done according to professional standards and established selection and review procedures.

There are many complex facets to any issue, and variations of context in which issues may be expressed, discussed, or interpreted. Librarians have a professional responsibility to be fair, just, and equitable and to give all library users equal protection in guarding against violation of the library patron’s right to read, view, or listen to materials and resources protected by the [First Amendment](#), no matter what the viewpoint of the author, creator, or selector. Librarians have an obligation to protect library collections from removal of materials based on personal bias or prejudice, and to select and support the access to materials on all subjects that meet, as closely as possible, the needs, interests, and abilities of all persons in the community the library serves. This includes materials that reflect political, economic, religious, social, minority, and sexual issues.

Intellectual freedom, the essence of equitable library services, provides for free access to all expressions of ideas through which any and all sides of a question, cause, or movement may be explored. Toleration is meaningless without tolerance for what some may consider detestable. Librarians cannot justly permit their own preferences to limit their degree of tolerance in collection development, because freedom is indivisible.

Adopted July 14, 1982, by the ALA Council; amended January 10, 1990.

APPENDIX J

Access for Children and Young Adults to Nonprint Materials: An Interpretation of the Library Bill of Rights

Library collections of nonprint materials raise a number of intellectual freedom issues, especially regarding minors. Article V of the [Library Bill of Rights](#) states, "A person's right to use a library should not be denied or abridged because of origin, age, background, or views."

The American Library Association's principles protect minors' access to sound, images, data, games, software, and other content in all formats such as tapes, CDs, DVDs, music CDs, computer games, software, databases, and other emerging technologies. ALA's [Free Access to Libraries for Minors](#): An Interpretation of the Library Bill of Rights states:

. . . The "right to use a library" includes free access to, and unrestricted use of, all the services, materials, and facilities the library has to offer. Every restriction on access to, and use of, library resources, based solely on the chronological age, educational level, literacy skills, or legal emancipation of users violates Article V.

. . . [P]arents—and only parents—have the right and responsibility to restrict access of their children—and only their children—to library resources. Parents who do not want their children to have access to certain library services, materials, or facilities should so advise their children. Librarians and library governing bodies cannot assume the role of parents or the functions of parental authority in the private relationship between parent and child.

Lack of access to information can be harmful to minors. Librarians and library governing bodies have a public and professional obligation to ensure that all members of the community they serve have free, equal, and equitable access to the entire range of library resources regardless of content, approach, format, or amount of detail. This principle of library service applies equally to all users, minors as well as adults. Librarians and library governing bodies must uphold this principle in order to provide adequate and effective service to minors.

Policies that set minimum age limits for access to any non print materials or information technology, with or without parental permission, abridge library use for minors. Age limits based on the cost of the materials are also unacceptable. Librarians, when dealing with minors, should apply the same standards to circulation of nonprint materials as are applied to books and other print materials except when directly and specifically prohibited by law.

Recognizing that librarians cannot act in loco parentis, ALA acknowledges and supports the exercise by parents of their responsibility to guide their own children's reading and viewing. Libraries should provide published reviews and/or reference works that contain information about the content, subject matter, and recommended audiences for nonprint materials. These resources will assist parents in guiding their children without implicating the library in censorship.

In some cases, commercial content ratings, such as the [Motion Picture Association of America](#) (MPAA) movie ratings, might appear on the packaging or promotional materials provided by producers or distributors. However, marking out or removing this information from materials or packaging constitutes expurgation or censorship.

MPAA movie ratings, [Entertainment Software Rating Board](#) (ESRB) game ratings, and other rating services are private advisory codes and have no legal standing ([Expurgation of Library Materials](#)). For the library to add ratings to non print materials if they are not already there is unacceptable. It is also unacceptable to post a list of such ratings with a collection or to use them in circulation policies or other procedures. These uses constitute labeling, "an attempt to prejudice attitudes" ([Labels and Rating Systems](#)), and are forms of censorship. The application of locally generated ratings schemes intended to provide content warnings to library users is also inconsistent with the Library Bill of Rights.

The interests of young people, like those of adults, are not limited by subject, theme, or level of sophistication. Librarians have a responsibility to ensure young people's access to materials and services that reflect diversity of content and format sufficient to meet their needs.

Adopted June 28, 1989, by the ALA Council; amended June 30, 2004.

APPENDIX K

Access to Electronic Information, Services, and Networks: An Interpretation of the LIBRARY BILL OF RIGHTS

Introduction

Freedom of expression is an inalienable human right and the foundation for self-government. Freedom of expression encompasses the freedom of speech and the corollary right to receive information.¹ Libraries and librarians protect and promote these rights by selecting, producing, providing access to, identifying, retrieving, organizing, providing instruction in the use of, and preserving recorded expression regardless of the format or technology.

The American Library Association expresses these basic principles of librarianship in its Code of Ethics and in the Library Bill of Rights and its Interpretations. These serve to guide librarians and library governing bodies in addressing issues of intellectual freedom that arise when the library provides access to electronic information, services, and networks.

Libraries empower users by providing access to the broadest range of information. Electronic resources, including information available via the Internet, allow libraries to fulfill this responsibility better than ever before.

Issues arising from digital generation, distribution, and retrieval of information need to be approached and regularly reviewed from a context of constitutional principles and ALA policies so that fundamental and traditional tenets of librarianship are not swept away.

Electronic information flows across boundaries and barriers despite attempts by individuals, governments, and private entities to channel or control it. Even so, many people lack access or capability to use electronic information effectively.

In making decisions about how to offer access to electronic information, each library should consider its mission, goals, objectives, cooperative agreements, and the needs of the entire community it serves.

The Rights of Users

All library system and network policies, procedures, or regulations relating to electronic information and services should be scrutinized for potential violation of user rights.

User policies should be developed according to the policies and guidelines established by the American Library Association, including Guidelines for the Development and Implementation of Policies, Regulations and Procedures Affecting Access to Library Materials, Services and Facilities.

Users' access should not be restricted or denied for expressing or receiving constitutionally protected speech. If access is restricted or denied for behavioral or other reasons, users should be provided due process, including, but not limited to, formal notice and a means of appeal.

Information retrieved or utilized electronically is constitutionally protected unless determined otherwise by a court of law with appropriate jurisdiction. These rights extend to minors as well as adults (Free Access to Libraries for Minors; Access to Resources and Services in the School Library Media Program; Access for Children and Young Adults to Nonprint Materials).²

Libraries should use technology to enhance, not deny, access to information. Users have the right to be free of unreasonable limitations or conditions set by libraries, librarians, system administrators, vendors, network service providers, or others. Contracts, agreements, and licenses entered into by libraries on behalf of their users should not violate this right. Libraries should provide library users the training and assistance necessary to find, evaluate, and use information effectively.

Users have both the right of confidentiality and the right of privacy. The library should uphold these rights by policy, procedure, and practice in accordance with Privacy: An Interpretation of the Library Bill of Rights.

Equity of Access

The Internet provides expanding opportunities for everyone to participate in the information society, but too many individuals face serious barriers to access. Libraries play a critical role in bridging information access gaps for these individuals. Libraries also ensure that the public can find content of interest and learn the necessary skills to use information successfully.

Electronic information, services, and networks provided directly or indirectly by the library should be equally, readily and equitably accessible to all library users. American Library Association policies oppose the charging of user fees for the provision of information services by libraries that receive their major support from public funds ([50.3 Free Access to Information](#); [53.1.14 Economic Barriers to Information Access](#); [60.1.1 Minority Concerns Policy Objectives](#); [61.1 Library Services for the Poor Policy Objectives](#)). All libraries should develop policies concerning access to electronic information that are consistent with ALA's policy statements, including [Economic Barriers to Information Access: An Interpretation of the Library Bill of Rights](#), [Guidelines for the Development and Implementation of Policies, Regulations and Procedures Affecting Access to Library Materials, Services and Facilities](#), and [Resolution on Access to the Use of Libraries and Information by Individuals with Physical or Mental Impairment](#).

Information Resources and Access

Providing connections to global information, services, and networks is not the same as selecting and purchasing materials for a library collection. Determining the accuracy or authenticity of electronic information may present special problems. Some information accessed electronically may not meet a library's selection or collection development policy. It is, therefore, left to each user to determine what is appropriate. [Parents and legal guardians who are concerned about their children's use of electronic resources should provide guidance to their own children](#).

Libraries, acting within their mission and objectives, must support access to information on all subjects that serve the needs or interests of each user, regardless of the user's age or the content of the material. In order to preserve the cultural record and to prevent the loss of information, libraries may need to expand their selection or collection development policies to ensure preservation, in appropriate formats, of information obtained electronically. Libraries have an obligation to provide access to government information available in electronic format.

Libraries and librarians should not deny or limit access to electronic information because of its allegedly controversial content or because of the librarian's personal beliefs or fear of confrontation. Furthermore, libraries and librarians should not deny access to electronic information solely on the grounds that it is perceived to lack value.

Publicly funded libraries have a legal obligation to provide access to constitutionally protected information. Federal, state, county, municipal, local, or library governing bodies sometimes require the use of Internet filters or other technological measures that block access to constitutionally protected information, contrary to the [Library Bill of Rights](#) (ALA Policy Manual, [53.1.17, Resolution on the Use of Filtering Software in Libraries](#)). If a library uses a technological measure that blocks access to information, it should be set at the least restrictive level in order to minimize the blocking of constitutionally protected speech. Adults retain the right to access all constitutionally protected information and to ask for the technological measure to be disabled in a timely manner. Minors also retain the right to access constitutionally protected information and, at the minimum, have the right to ask the library or librarian to provide access to erroneously blocked information in a timely manner. Libraries and librarians have an obligation to inform users of these rights and to provide the means to exercise these rights.³

Electronic resources provide unprecedented opportunities to expand the scope of information available to users. Libraries and librarians should provide access to information presenting all points of view. The provision of access does not imply

sponsorship or endorsement. These principles pertain to electronic resources no less than they do to the more traditional sources of information in libraries ([Diversity in Collection Development](#)).

¹[Martin v. Struthers](#), 319 U.S. 141 (1943); [Lamont v. Postmaster General](#), 381 U.S. 301 (1965); Susan Nevelow Mart, [The Right to Receive Information](#) (PDF), 95 Law Library Journal 2 (2003).

²[Tinker v. Des Moines Independent Community School District](#), 393 U.S. 503 (1969); [Board of Education, Island Trees Union Free School District No. 26 v. Pico](#), 457 U.S. 853, (1982); [American Amusement Machine Association v. Teri Kendrick](#), 244 F.3d 954 (7th Cir. 2001); cert.denied, 534 U.S. 994 (2001)

³"If some libraries do not have the capacity to unblock specific Web sites or to disable the filter or if it is shown that an adult user's election to view constitutionally protected Internet material is burdened in some other substantial way, that would be the subject for an as-applied challenge, not the facial challenge made in this case." [United States, et al. v. American Library Association](#) (PDF), 539 U.S. 194 (2003) (Justice Kennedy, concurring).

See Also: [Questions and Answers on Access to Electronic Information, Services and Networks: an Interpretation of the Library Bill of Rights](#).

Adopted January 24, 1996, by the ALA Council; amended January 19, 2005.

APPENDIX L

Resolution on the Use of Filtering Software in Libraries

WHEREAS, On June 26, 1997, the United States Supreme Court issued a [sweeping re-affirmation of core First Amendment principles](#) and held that communications over the Internet deserve the highest level of Constitutional protection; and

WHEREAS, The Court's most fundamental holding is that communications on the Internet deserve the same level of Constitutional protection as books, magazines, newspapers, and speakers on a street corner soapbox. The Court found that the Internet "constitutes a vast platform from which to address and hear from a worldwide audience of millions of readers, viewers, researchers, and buyers," and that "any person with a phone line can become a town crier with a voice that resonates farther than it could from any soapbox"; and

WHEREAS, For libraries, the most critical holding of the Supreme Court is that libraries that make content available on the Internet can continue to do so with the same Constitutional protections that apply to the books on libraries' shelves; and

WHEREAS, The Court's conclusion that "the vast democratic fora of the Internet" merit full constitutional protection will also serve to protect libraries that provide their patrons with access to the Internet; and

WHEREAS, The Court recognized the importance of enabling individuals to receive speech from the entire world and to speak to the entire world. Libraries provide those opportunities to many who would not otherwise have them; and

WHEREAS, The Supreme Court's decision will protect that access; and

WHEREAS, The use in libraries of software filters which block Constitutionally protected speech is inconsistent with the United States Constitution and federal law and may lead to legal exposure for the library and its governing authorities; now, therefore, be it

RESOLVED, That the American Library Association affirms that the use of filtering software by libraries to block access to constitutionally protected speech violates the Library Bill of Rights.

Adopted by the ALA Council, July 2 1997