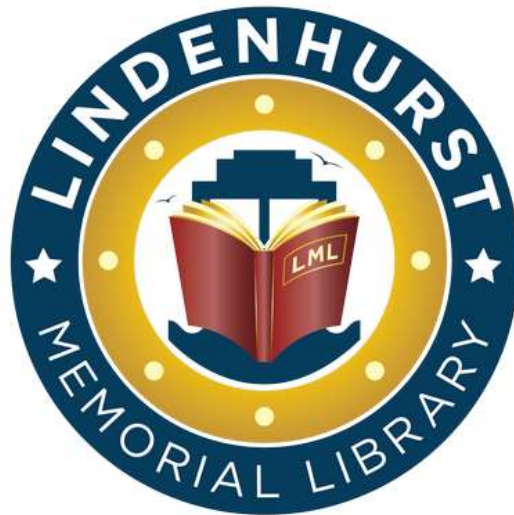


# **Library Bylaws and Introduction**



**American Library Association Library Bill of Rights**

**American Library Association Freedom to Read Statement**

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**Memorandum of Agreement: Library and Friends of the Lindenhurst  
Memorial Library**

## Library Bill of Rights

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.
- III. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.
- IV. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.
- V. A person's right to use a library should not be denied or abridged because of origin, age, background, or views.
- VI. 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.
- VII. All people, regardless of origin, age, background, or views, possess a right to privacy and confidentiality in their library use. Libraries should advocate for, educate about, and protect people's privacy, safeguarding all library use data, including personally identifiable information.

Adopted June 19, 1939, by the ALA Council; amended October 14, 1944; June 18, 1948; February 2, 1961; June 27, 1967; January 23, 1980; January 29, 2019.

Inclusion of "age" reaffirmed January 23, 1996.

Although the Articles of the *Library Bill of Rights* are unambiguous statements of basic principles that should govern the service of all libraries, questions do arise concerning application of these principles to specific library practices. See the documents designated by the Intellectual Freedom Committee as Interpretations of the Library Bill of Rights (<http://www.ala.org/advocacy/intfreedom/librarybill/interpretations>).

## The Freedom to Read Statement

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.*

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

*they can demonstrate that the answer to a "bad" book is a good one, the answer to a "bad" idea is a good one.*

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.

This statement was originally issued in May of 1953 by the Westchester Conference of the American Library Association and the American Book Publishers Council, which in 1970 consolidated with the American Educational Publishers Institute to become the Association of American Publishers.

Adopted June 25, 1953, by the ALA Council and the AAP Freedom to Read Committee; amended January 28, 1972; January 16, 1991; July 12, 2000; June 30, 2004.

*A Joint Statement by:*

American Library Association (/)  
Association of American Publishers (<http://www.publishers.org/>)

*Subsequently endorsed by:*

American Booksellers for Free Expression (<http://www.bookweb.org/abfe>)  
The Association of American University Presses (<http://www.aaupnet.org/>)  
The Children's Book Council (<http://www.cbcbooks.org/>)  
Freedom to Read Foundation (<http://www.ftrf.org>)  
National Association of College Stores (<http://www.nacs.org/>)  
National Coalition Against Censorship (<http://www.ncac.org/>)  
National Council of Teachers of English (<http://www.ncte.org/>)  
The Thomas Jefferson Center for the Protection of Free Expression

## Freedom to View Statement

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 guarantee 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.

This statement was originally drafted by the Freedom to View Committee of the American Film and Video Association (formerly the Educational Film Library Association) and was adopted by the AFVA Board of Directors in February 1979. This statement was updated and approved by the AFVA Board of Directors in 1989.

**Endorsed January 10, 1990, by the ALA Council**

(/offices/oif)

# LINDENHURST MEMORIAL LIBRARY BOARD OF TRUSTEES BYLAWS

## **Mission Statement: *adopted March 23, 2013***

The Lindenhurst Memorial Library is dedicated to the pursuit of intellectual freedom as expressed in the Library Bill of Rights formulated by the American Library Association. Our mission is to provide a community forum where quality services and lifelong learning opportunities are offered to all.

## **Preamble**

The Board of Trustees of the Lindenhurst Memorial Library, created by Absolute Charter Number 10263, granted by the Board of Regents of the University of the State of New York on June 26, 1970, according to section 255 of the New York State Education Law, to provide non-partisan public library service free of political influence to the residents of the Lindenhurst Union Free School District, hereby enact the following Bylaws:

## **ARTICLE I - Board of Trustees**

1. The Library shall be governed by a Board of Trustees, hereinafter referred to as “the Board”, consisting of five (5) members duly elected by the voting residents within the Lindenhurst Union Free School District.
2. **Tenure of Office**
  - a. One Trustee shall be elected annually for a term of five years, election to be held after April 1 and before July 1, as per Section 260 of the Education Law.
  - b. If a trustee does not complete his/her term of office, a replacement may be chosen, by a majority vote of the remaining Trustees, to serve until the next regularly scheduled Trustee election. At that time a replacement will be elected to fill the remainder of the Trustee’s term, pursuant to section 2034 (7) (c) of New York State Education Law.
  - c. In the event that there is one full term of office and the balance of an unexpired term of office for board members in an election, the candidate who receives the most votes would obtain the seat with the longest term, and the candidate receiving the second largest number of votes would obtain the seat for the balance of the unexpired term, pursuant to section 2034 (7) (c) of New York State Education Law.
3. Library Trustees shall have their primary domicile within the Lindenhurst Union Free School District, and shall be eligible to vote in the Lindenhurst Memorial Library’s budget vote and election. No salaried employee of the Lindenhurst Memorial Library shall be eligible for candidacy.
4. A Trustee must be present at a board of trustees meeting to have his/her vote counted in accordance with New York State Open Meeting Law.

5. Trustees are required to attend all meetings of the Board (general and executive sessions). A Trustee who, after being duly notified, fails to attend three consecutive meetings of the Board may, according to the provisions of Section 226 of New York State Education Law, be declared to have vacated his/her seat. The Trustees, after review of a written explanation by the absentee Trustee, shall vote, at the next meeting of the Board, whether to excuse any or all of these absences and retain the Trustee or to take actions to declare the seat vacant. Such vacancies shall be filled according to Article 1, Section 2B.

## **ARTICLE II – Officers**

### **1. Number**

The officers of the Board shall be a President, Vice-President, and Secretary. Pursuant to the New York State Comptroller's advisory opinion, the position of Treasurer should not be a member of the Board.

### **2. Election**

Officers shall be elected at the annual organizational meeting to be held during the month of July, no later than the 7<sup>th</sup> business day, by a majority vote of the Board, and serve for one year.

### **3. The President shall:**

- a. Be the official spokesperson for the Board;
- b. Preside, when present, at all meetings of the Board of Trustees;
- c. Sign, with the Treasurer or any other appropriate officer of the Library thereunto authorized by the Board, any contracts, agreements, or other instruments which the Board has authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated by law or by the Board to some other officer or agent of the Library;
- d. Appoint committee members.

### **4. The Vice-President shall:**

- a. Preside at all regular and special meetings of the Board in the absence of the President and perform all duties of the President in his/her absence.

### **5. The Secretary shall:**

- a. Have first comment on the veracity of the meeting minutes and resolutions;
- b. Sign the approved minutes of all meetings of the Board;
- c. Preside at all meetings of the Board in the absence of both the President and the Vice-President, and perform all duties of the President in his/her absence.

### **6. The Treasurer shall:**

- a. Be authorized to sign checks;
- b. Reconcile bills issued to the Library against warrants issued for the payment of same;
- c. Reconcile bank statements;
- d. Prepare monthly Treasurer's reports as required;

- e. Execute the New York State Uniform Annual Financial Report for the Library for the Office of the Comptroller.
- f. The Treasurer shall perform other duties appropriate to the office as assigned by the Board.

### **ARTICLE III - Duties of the Board of Trustees**

Board members have the responsibility to govern the Lindenhurst Memorial Library by its charter, by-laws, and in accordance with all applicable laws, rules, regulations and policies dedicated to the fulfillment of its mission. Responsibilities of the Board include, but are not limited to:

- a. Create and develop the mission of the library;
- b. Regularly evaluate the library's service program based on community needs;
- c. Select, hire, and regularly evaluate a qualified Library Director;
- d. Secure adequate funding for the library's service program, and exercise fiduciary responsibility for the use of public and private funds;
- e. Adopt policies and rules regarding library governance and use;
- f. Maintain a library facility that meets the community's needs;
- g. Advocate for the library in the local community and society in general.

### **ARTICLE IV – Meetings**

Pursuant to Section 103 of the Open Meeting Law of the State of New York, the following four sections will fully comply with the requirements outlined in said law.

#### **1. Quorum**

A majority of the Board shall constitute a Quorum. In the case of the Lindenhurst Memorial Library, three (3) board members present equals a quorum. In order to pass or adopt a motion, proposal, or amendment, an affirmative vote of the majority of the entire Board membership must be maintained, i.e. 3 out of the 5 members.

#### **2. Regular meetings**

- a. Regular meetings shall be held at dates and times to be established by the Board at the beginning of the library's administrative year and shall be open to the public.
- b. The agenda for meetings of the Board shall be presented to all trustees in a notice of meeting. The agenda will be developed by the Director, reviewed with the Board President and sent out to the Board with all pertinent materials so that trustees can review meeting items ahead of time in order to be prepared for any discussions during the meeting.

#### **3. Special Meetings**

Special meetings of the Board may be called at any time at the request of the President or upon the request of three (3) trustees. In the instance of a special meeting, care should be taken to ensure a majority of the Board can attend.



#### 4. Annual Organizational Meeting

An annual organizational meeting shall be held by the Board at the beginning of the library's administrative year, during the first seven (7) business days of July (day & time to be determined). No general business will be discussed and no public comments will be heard at this meeting. The organizational meeting agenda includes the following, but is not limited to:

- a. Administer the oath of office to newly elected trustees;
- b. Nomination and election of officers;
- c. Committee appointments;
- d. Reaffirm the appointments of Treasurer, and other professional retainers;
- e. Designation of Banks;
- f. Official newspapers to be used for public notices;
- g. Review of annual committee written reports.
- h. Annual buildings and ground walk through by the Board of Trustees

#### ARTICLE V – Board Committees

1. Board committees review matters for action and/or discussion to the full Board. The following general rules shall apply. No committee will have other than advisory powers unless, by suitable action of the Board, it is granted specific power to act, in which case provisions of open meeting law applies.
  - a. Unless otherwise specified in these bylaws, the term of membership on any committee shall be two years.
  - b. All committees report to the Board. Committees may report as frequently as needed and shall make an annual written report which shall be distributed to the Board as part of the annual organizational meeting board packet.
  - c. The Library Director and/or his/her designee shall attend all committee meetings.
  - d. Committees shall be comprised of two Board members, with the President serving as an ex officio member of all committees.
2. Lindenhurst Memorial Library maintains the following Board committees, listed below. Other committees may be added as necessary by the Board President. Board members are expected to participate regularly in committee work.
  - a. **Budget and Finance:** reviews annual budget proposal; meets with Director as needed.
  - b. **Infrastructure:** reviews building projects and capital repairs as needed with Director and other key staff, along with reviewing the safety and security needs of the Library.
  - c. **Personnel:** annual review of management contracts; interviews for open management positions (Director and Assistant Director) as required.
  - d. **Strategic Planning:** reviews library statistics and services using both a short term and long term view
  - e. **Policy:** regularly reads, reviews, and makes recommendations for changes to library policies and bylaws.

## **ARTICLE VI - Duties of the Library Director**

The Board shall appoint a Director, as per Suffolk County Civil Service Law, who administers the library. The Director shall be responsible to the Board for the care of the buildings and equipment; for the selection, performance, and evaluation of staff; for the efficiency of the library's service to the public; and directs and supervises the expenditure of library funds, including an annual budget to present to the Board of Trustees for review and adoption, subject to the policies, standards, and objectives determined by the Board. The Director will display a high degree of initiative and independent judgement in the performance of these duties. The Director may do related work as required by the Board.

The Director will conduct the business of the library in an open and ethical manner in compliance with all applicable laws and regulations, and with respect for the institution, staff, and public. The Director shall render and submit to the Board reports and recommendations of such policies, fiscal matters, and administrative procedures which, in the professional opinion of the Director, will improve efficiency and quality of library service. The Director's confidential annual evaluation shall be completed by the Board's Personnel Committee, in accordance with the provisions of the Director's annual contract.

## **ARTICLE VII - Fiscal Matters**

1. The fiscal year of the Lindenhurst Memorial Library shall be July 1 – June 30.
2. A motion to raise funds outside of the annual operating budget shall require the affirmative vote of at least 3 members of the 5 member Board.

## **ARTICLE VIII – Amendments**

These bylaws may be repealed, amended, or added to by a majority vote of the whole Board at a regular meeting. Such action may be taken only after the substance of the proposed repeal, amendment, or addition has been presented in writing at a prior meeting.

Adopted: July 6, 1971  
Revised: December 20, 2007  
Revised: April 23, 2016  
Revised: June 10, 2017  
Revised: July 11, 2018

## **Memorandum of Understanding between Friends of the LML and Lindenhurst Memorial Library:**

The following will constitute an operating agreement between the Friends of the Lindenhurst Memorial Library (Friends) and the Lindenhurst Memorial Library (Library). It will stand until and unless it is modified by mutual agreement of the Friends executive board and the Lindenhurst Memorial Library administration. The Friends mission is to “further the educational, cultural, and informational needs of the community through its support of the Lindenhurst Memorial Library.” As a non-profit, 501 (c) (3) organization, however, it is a legally distinct entity and is not a part of the Library.

**The Library** agrees to include the Friends in the long-term planning process to ensure that the Friends are aware of the goals and direction of the Library.

**The Library** agrees to supply the Friends with a “wish list” each year that indicates the anticipated needs for Friends support.

**The Library** agrees to provide the Friends with staff support to assist them with development of the newsletter, mass mailings, meeting coordination, and Friends promotional materials.

**The Library** agrees to provide public space for Friends membership brochures and promotional materials.

**The Library** agrees to provide the Friends with space in the Library for book storage and sorting, book sales, and office needs as available and in accordance with established Library policies and procedures.

**The Friends** agree to include a member from the Library’s administration as a non-voting presence at all Friends’ meetings and to allow room on the agenda for a library report.

**The Friends** agree to publicly support the library and its policies.

**The Friends** agree that any and all monies raised will be spent exclusively for library programs, services, and other Library defined needs unless otherwise agreed to by both the Friends and the Library.

**The Friends** agree that the library administration has the final say in accepting or declining any and all gifts made to the library.

**The Friends** agree to engage in advocacy efforts on behalf of the Library under the guidance of the Library and the Library’s Board of Trustees.

**The Friends** agree that if they cease to actively fundraise and promote the Library, they will disband, allowing for a new Friends group to be established in the future.

### **SIGNED:**

Library Director \_\_\_\_\_ Date: \_\_\_\_\_

Friends Board President \_\_\_\_\_ Date: \_\_\_\_\_

Library Board President \_\_\_\_\_ Date: \_\_\_\_\_