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COLLECTIVE AUTHORITY IN NEW YORK LIBRARIES

Do individual trustees on the library board have the authority to dictate the day-to-day activities of the library director and/or library staff?

ANSWER

Good question. This comes up from time to time when new trustees or new officers are learning their role on the board. The short answer is no, library trustees, regardless of position, cannot dictate the day-to-day operations of the library director or staff. Below is an explanation that may help.

COLLECTIVE AUTHORITY

New York library boards function under the principle of collective authority. This means decisions and actions come from the board as a whole, not from individual trustees.

“Collective Authority

Governance authority and accountability lie with the Board as a whole. Under New York State law, a library board has broad authority to manage the affairs of the library, but it is a collective authority. Individual trustees, regardless of their position on the Board, do not have the power to command the services of a library staff member, nor to speak or act on behalf of the library, unless they have been specifically granted that authority by a vote of the Board...

*An important corollary to this concept of **collective authority is the need for the Board to speak with one voice once a decision has been made.** Debate, discussion, and even disagreement over an issue are important parts of policy development and the decision-making process. However, every trustee has an ethical obligation to publicly support an adopted board decision.”¹*

The library board can delegate tasks by forming committees or assigning specific duties to a single trustee. This is intended to make specific tasks or research assignments more manageable, and to keep regular board meetings from becoming too cumbersome, not to put undue responsibility on any member or members of the board. These delegations require a formal board motion outlining clear instructions and limitations.

¹ Handbook for Library Trustees of New York State, 2023 Edition, page 32 [bold emphasis added].

There are few individual tasks that can be assigned, that I can think of, such as the board president collecting continuing education forms², the reviewing of conflict-of-interest forms, and potentially claims auditing³. Typically, for tasks more involved than these, a committee should be appointed.

Please note: The board may not relinquish its governing responsibilities or override collective authority to a single trustee under any circumstance.

CONFUSION ABOUT COLLECTIVE AUTHORITY AND THE BOARD PRESIDENT

Many libraries misunderstand collective authority due to the perceived power of the Board President. As established earlier, no individual trustee holds more authority than others. The President's role does not have increased authority; it is actually an increased level of responsibility and accountability.

The quote referenced below highlights the President's role as the primary channel of communication between the director and the board. This does not imply authority; it simply means the President ensures the entire board receives information critical to decision-making.

“The President ensures the Board acts consistently with board policies and presides at all meetings of the Board. This officer is responsible for the proper conduct and effectiveness of board meetings. In that capacity, the Board President must keep the meeting focused on the business at hand as determined by the agenda, maintain decorum, bring discussions to a close, refer an issue to a committee, or table issues until enough information is available to the Board for a well-considered decision.

*In addition, the President, in the context of the library's bylaws, authorizes the call for any special meetings, appoints committee members, serves as an ex-officio member on all committees, executes documents requiring Board authorization, and generally performs all duties associated with that office. **The President also serves as the primary liaison between the Board and the Library Director. In that capacity, the Board President should be in regular contact with the Library Director between meetings, work with the Library Director to ensure the entire Board is well informed of current issues facing the library and collaborate with the Library Director to create board meeting agendas.**”⁴*

As an example, to enhance communication and efficiency, the director and board president should meet a week prior to board meetings. This collaboration allows for agenda finalization, action item review, and preparation of the board packet, ensuring all board members have the necessary information in advance.

As significant issues come up at the library, the director may also update the board president for advice, direction, or to add to the agenda for a future board meeting.

² This is designated through Education Law 260-d.

³ Review the Budget and Finance chapter of the Handbook for Library Trustees of New York State, 2023 Edition.

⁴ Handbook for Library Trustees of New York State, 2023 Edition, page 34 [bold emphasis added].

THE BOARD GOVERNS, THE DIRECTOR MANAGES

Board members oversee, not manage. The library board and its members should never directly manage the library's day-to-day operations. This includes supervising staff, working at the library, or handling tasks typically performed by library employees.

While they contribute valuable time and expertise, board members are distinct from traditional library volunteers. They are a governing body with specific responsibilities, such as setting policy, approving budgets, and hiring the library director.⁵

*“As per Education Department Regulations (8 NYCRR) §90.2, **in no case should the Board take on the day-to-day management of the library.**”⁶*

CLEAR COMMUNICATION

Effective communication is crucial for a well-functioning library board. While the President may be authorized to explain or elaborate on board decisions to the library director or staff, such actions should always reflect the collective will of the full board, not the priorities of a single member.

*“It is critical for the Board to establish and maintain clear lines of communication with the Library Director. **In general, the Board's directions and intentions are communicated to the Library Director through the President or through official actions at a Board meeting. Individual trustees [including the Board President] should refrain from issuing specific instructions to the Library Director at board meetings and especially between meetings. Such individual directions are inconsistent with the concept of collective board authority, and a Library Director risks being caught between conflicting intentions, even among well-meaning trustees.**”⁷*

DECISIONS FIRST, ACTIONS LATER

Importantly, all decisions must be thoroughly discussed and approved by the entire board before any action is taken. Remember, individual trustees cannot give directives to the library director or staff unless those directives are based on a prior board decision.

CONCLUSION

In conclusion, a well-functioning library board operates under the principle of collective authority. This means decisions and actions come from the board as a whole, never from individual trustees.

The President plays a crucial role in facilitating communication and ensuring all board members are informed, but this does not translate to unilateral power.

⁵ For a list of the nine responsibilities of library boards, review page 21 of the Handbook for Library Trustees of New York State, 2023 Edition.

⁶ Handbook for Library Trustees of New York State, 2023 Edition, page 69 [bold emphasis added].

⁷ Handbook for Library Trustees of New York State, 2023 Edition, page 65 [bold emphasis added].

Board members are responsible for governing the library (setting policy, approving budgets, hiring the library director, etc.). Day-to-day operations are managed by the library director.

Clear communication and a shared understanding of these roles are essential for a successful library.

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