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## **JEFFERSONVILLE TOWNSHIP PUBLIC LIBRARY BOARD BYLAWS AND GOVERNANCE**

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Adopted by Library Board of Trustees, May 4, 1993. Amended February 6, 1996; February 6, 2001; February 3, 2004; March 1, 2005; February 5, 2008; March 5, 2012; January 15, 2018; April 24, 2018; June 15, 2021; June 21, 2022; June 20, 2023; Reviewed June 17, 2024; Amended May 20, 2025.

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The purpose of these Bylaws is to set forth, in accordance with the Indiana Public Library Law, (IC 36-12) (IC 4-23-7) (IC 4-23-7.1) the organization and responsibilities of the Jeffersonville Township Public Library Board of Trustees, Jeffersonville, Indiana.

## **ARTICLE I**

### **Identification and District Boundaries**

#### **Section 1. Official Name.**

- 1.1 The name of the library taxing district shall be known and designated as the **Jeffersonville Township Public Library**.

#### **Section 2. Geographical Boundaries and Jurisdiction.**

- 1.2.1 The boundaries of the **Jeffersonville Township Public Library taxing district** and the territory therein shall consist of Jeffersonville Township. Within the Township are the City of Jeffersonville, the Town of Clarksville, and unincorporated areas.
- 1.2.2 Due to annexation, not all of the political geographical boundaries of the City of Jeffersonville and the Town of Clarksville are entirely within Jeffersonville Township, and, consequently, are not within the boundaries of the Jeffersonville Township Public Library Taxing District.

#### **Section 3. Identification.**

- 1.3.1 The Jeffersonville Township Public Library holds a Registered Retail Merchant Certificate by the Indiana Department of State Revenue with the taxpayer identification number 003123359 001 9 (issued 11/20/89). This number shall be commonly referred to as the tax exemption number.
- 1.3.2 The Federal Employer Identification Number is 356001711. This number shall be commonly referred to as the federal ID number.

## ARTICLE II

### Authority and Purpose

#### **Section 1. Authority.**

- 2.1 The activities and business of the Jeffersonville Township Public Library shall be those of a municipal corporation that provides library services and is organized under IC 36-12-2-2 as a Class 1 Public Library. IC 36-12-1-9(1)(B) defines a Class 1 Public Library as those public libraries established before March 14, 1947, that have filed a resolution of conversion under section 10 of this chapter.

#### **Section 2. Statement of Purpose.**

- 2.2.1 The Board shall govern the Library under the public library provisions, according to the purposes and authority set forth in IC 36-12, as amended, and such other Indiana and federal laws as affect the operation of the Library.
- 2.2.2 The library district shall provide quality public library services to the residents of Jeffersonville Township and other qualified borrowers consistent with the traditional role of libraries in America, while striving to encompass developments in diversified print and non-print materials, online information retrieval, computer technology, and programming.

#### **Section 3. Philosophy of Service.**

- 2.3.1 The Library will provide free library services for all qualified individuals, except where certain fees are permitted, expected, or required by State law, in order to meet the educational, informational, and recreational interests and needs of a diverse public.

#### **Section 4. Library Principles.**

- 2.4.1 The Jeffersonville Township Public Library will uphold the principles of intellectual freedom and access to information as declared in the *Library Bill of Rights*. <http://www.ala.org/advocacy/intfreedom/librarybill> (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.)
- 2.4.2 The Jeffersonville Township Public Library will uphold the principles of professional ethics as declared in the *Code of Ethics*. <https://www.ala.org/tools/ethics> (originally adopted June 30, 1981, by ALA Membership and ALA Council and last revised June 29, 2021).
- 2.4.3 The Jeffersonville Township Public Library will remain aware of and be supportive of those intellectual freedom statements and policies adopted by the American Library Association for the benefit of all libraries which uphold that the freedom to read is essential to our democracy, and that libraries in America are cornerstones of the communities they serve.

2.4.4 The Jeffersonville Township Public Library endorses the ALA statement *Libraries: An American Value*, (<http://www.ala.org/advocacy/intfreedom/statementspols/librariesamerican>) adopted February 3, 1999, which says that free access to the books, ideas, resources, and information in American libraries is imperative for education, employment, enjoyment, and self-government.

## ARTICLE III

### Powers and Governance

#### **Section 1. Public Corporation.**

- 3.1 The Jeffersonville Township Public Library shall be a public and municipal corporation for library purposes, separate and distinct from other civil or municipal entities/corporations comprising said library district.

#### **Section 2. Governing Body.**

- 3.2.1 The official governing body of the Jeffersonville Township Public Library shall be the library Board of Trustees, who collectively shall govern and set policy for all of the affairs of the library district in accordance with the Statutes of the State of Indiana, subject to the limitations of the Indiana Library Laws, as amended, and subject to the Bylaws as adopted by this Board.
- 3.2.2 Individuals, duly appointed, who serve on the Library Board shall be known as Library Board trustees, or more commonly known as Library Board members.

#### **Section 3. Powers.**

- 3.3 The Jeffersonville Township Public Library, acting by and through the Library Board, shall have and enjoy all powers, rights, and privileges granted to and shall perform all duties required of a library district and its library board under the Library Laws IC 36-12, as amended.

## ARTICLE IV

### Members of the Library Board

#### **Section 1. Qualifications of Members.**

- 4.1.1 An appointee to a library board must reside in the library district during the time the appointee is on the library board (IC 36-1-12-2-7).
- 4.1.2 All appointees must have resided in the library district for at least two (2) years immediately preceding the appointment to the library board (IC 36-12-2-7).

#### **Section 2. Appointment of Members.**

- 4.2 The library board shall consist of seven (7) members who shall be appointed by four (4) elected boards as follows (IC 36-12-2-9):

Two (2) members by the Clark County Council

Two (2) members by the Clark County Board of Commissioners

Two (2) members by the Greater Clark County School Corporation

One (1) member by the President, Board of School Trustees of the Clarksville Community School Corporation

#### **Section 3. Vacancies.**

- 4.3.1 A vacancy may occur by death, resignation, or expiration of term.
- 4.3.2 A vacancy shall occur whenever a member is absent from six (6) consecutive regular board meetings for any cause other than illness (IC 36-12-2-20 (B)).
- 4.3.3 Whenever a vacancy in the membership of the library board shall occur, the appointing authority shall be notified either by the Secretary of the library board or the library director of a vacancy to fill the unexpired term.

#### **Section 4. Limitation of Terms.**

- 4.4.1 The term of a library board member is four (4) years, normally beginning on July 1 and ending on June 30 of the respective year (IC 36-12-2-18). Board members can serve four consecutive terms and must take a break the equivalent of one term (four years) before being reappointed to the Board. (IC 36-12-2-8)
- 4.4.2 A member may continue to serve on a library board for no more than sixty (60) days after the member's term expires. (IC 36-12-2-18(a) and IC 36-1-8-10(c)).

- 4.4.3 If a member is appointed to fill a vacancy on the library board, his/her term is the unexpired term of the member being replaced (IC 36-12-2-18). Per IC 36-12-2-8, an unexpired term of two (2) years or less that an individual serves in filling a vacancy on the library board is not counted in computing consecutive terms.
- 4.4.4 An appointee to a library board may not serve more than four (4) consecutive terms on the library board. The consecutive terms shall be computed without regard to a change in the appointing authority that appointed the member or the length of any term served by the appointee (IC 36-12-2-8).

**Section 5. Cause for Removal of Board Members.**

- 4.5 A member of the library board may be removed at any time by the appointing authority, after first holding a public hearing, for any cause which interferes with the proper discharge of duties as a member of such Board or which may jeopardize the public confidence in the member (IC 36-12-2-20).

**Section 6. Compensation and Restrictions.**

- 4.6.1 Members of the Board shall serve without compensation, except that the Treasurer may be paid, per IC 36-12-2-21. A board member may not serve as a paid employee of the Public Library.
- 4.6.2 Necessary travel and/or meal expenses of any Board member incurred in the interest of business of the Library may be reimbursed out of library funds per policy or board resolution. Such travel on behalf of the Library shall be approved by the Board.
- 4.6.3 The Board may engage legal counsel as needed for legal advice. The President of the Board or the Library Director may request the legal opinions of legal counsel for any matter which comes within the jurisdiction of the Board, and shall report the opinion to the Board.
- 4.6.4 No board member shall influence the Library Director in the hiring of any individual, whether related or otherwise.

## ARTICLE V

### Personnel

#### **Section 1. Library Director.**

- 5.1.1 The library board shall select a librarian who holds a certificate under IC 36-12-11 to serve as Director of the Library. The selection shall be made solely upon the basis of the candidate's training and proficiency in the science of library administration. The Board shall fix the compensation of the Director. The Director, as administrative head of the Library, is responsible to the Board for the operation and management of the Library, per IC 36-12-2-24(a). The library director shall be considered the executive officer of the Library and shall have sole charge of the administration of the Library under the direction and review of the library board.
- 5.1.2 The Director shall have the power to write and enforce procedures governing the Library, which logically stem from adopted and approved Board policies. Such procedures shall be consistent with the policies of the Board.
- 5.1.3 The Director shall be responsible for the care of the library facilities and equipment, for the employment and direction of the staff, for the efficiency of the Library's service to the public, for the administration of the long-range plan and short-term goals, and for the operation of the Library under the financial conditions set forth in the annual budget.
- 5.1.4 The Director shall attend all Board meetings, except those at which the Director's appointment, salary, or performance is to be discussed.
- 5.1.5 The Director may enter into any contract or execute and deliver any instrument in the name of and on behalf of the Jeffersonville Township Public Library, and such authority may be general or confined to specific instances as instructed by the library board.
- 5.1.6 Standards shall be set which comply with Indiana State Library and Historical Board Certification rules adopted in 2008 and modified January 1, 2017.
- 5.1.7 The library board shall maintain a current salary schedule for compensation based upon job classification and required educational levels.
- 5.1.8 The Jeffersonville Township Public Library shall employ professionally qualified personnel who have received a master's degree in library science or comparable information science degree from a program accredited by the American Library Association.

## **ARTICLE VI**

### **Conflicts of Interest**

#### **Section 1. Ethical Standards**

- 6.1.1 Board members, in the capacity of trust imposed upon them, shall observe ethical standards with absolute truth, integrity, and honor.
- 6.1.2 All members shall avoid any conflict of interest which might arise out of the conduct of normal library business and service contracts.

#### **Section 2. Service**

- 6.2 Board members shall promote a high level of service while observing ethical standards.

#### **Section 3. Personal Interests**

- 6.3 Board members shall avoid situations in which personal interests might be served or financial benefits gained at the expense of library users, colleagues, or the institution.

#### **Section 4. Personal Advantage**

- 6.4 Board members will not use the Library for personal advantage or the personal advantage of friends or relatives.

#### **Section 5. Recusing from Voting**

- 6.5 Board members will declare any conflict of interest between their personal life and their position on the Library Board and avoid voting on issues that appear to be a conflict of interest. It is incumbent upon any Board member to disqualify or recuse himself/herself from voting immediately whenever the appearance of a conflict of interest exists.

#### **Section 6. Long-term Conflict of Interest**

- 6.6 If the possibility of a long-term conflict of interest exists, the Board member shall complete the Uniform Conflict of Interest Disclosure Form annually.

## ARTICLE VII

### Nepotism

#### **Section 1. Relatives**

- 7.1 The Library will not employ the spouse, child, parent, or sibling of the Director or of any member of the Board.

## **ARTICLE VIII**

### **Amendments**

#### **Section 1. Method for Amending Bylaws**

- 8.1.1 These Bylaws may be amended at any regular meeting of the library board with a majority vote.
- 8.1.2 Amendments should be proposed one month in advance of voting, and a copy provided to each Board member at least 15 days before the meeting.
- 8.1.3 Amendments may be proposed by a member of the Board.
- 8.1.4 The amendments for each year shall be sent to the Indiana State Library upon submission of the annual report.

#### **Section 2. Term of Office.**

- 8.2.1 Officers, except for the Treasurer, shall serve for a term of one year. The position of Treasurer should be held for three years.
- 8.2.2 Officers shall continue in office until their successors have been elected.
- 8.2.3 When a vacancy occurs during the term of any officer, the Board will elect a successor at the next regular meeting of the Board after the vacancy is announced to fill out the unexpired term of the office.
- 8.2.4 An officer may be removed from office before the expiration of the term of office, for cause, by the vote of a majority of the members of the Board at any meeting of the Board.

#### **Section 3. Election of Officers.**

- 8.3 Officers will be elected through a rotation procedure at the annual meeting. If Board members do not want to serve in a particular office when the rotation comes to them, they may choose to drop to the bottom of the list.

The rotation order will be as follows:

- The President moves to the bottom of the member list.
- The Vice-President moves to President.
- The Secretary moves to Vice-President.
- The Treasurer is encouraged to serve three years and then moves up to Secretary.
- Board Member 1 moves to either the Treasurer or Secretary position, depending on which is available.
- Board Members 2 and 3 will move up the list accordingly.

#### **Section 4. Duties of Officers.**

- 8.4.1 The President of the Board shall preside at all meetings, appoint all committees and the committee chair with input from the Board, authorize calls for any special meeting, and perform the duties of a presiding officer. The President may serve as an ex-officio member of any committee.
- 8.4.2 The Vice-President shall preside at any meeting in the absence of the President and may sign as acting President on the Board when a signature is required for any legal or authorized document. The Vice-President shall perform the duties of the President, as acting President, in the case of a vacancy in the presidency until a President shall be elected.
- 8.4.3 The Secretary shall see that accurate records of the Minutes of the Board are maintained and shall sign the final copy of all Minutes approved as corrected. The Secretary will act as Treasurer in the absence of the Treasurer when a signature is required for legal documents, with the exception that all checks issued on library accounts must have a facsimile signature of the Treasurer; and all inter-fund transfers must have a facsimile signature of the Treasurer affixed and be signed by the Library Director.
- 8.4.4 The Treasurer shall see that accurate records of the library funds and accounts are maintained, shall disburse funds with the authorization of the Board, and shall provide financial reports on a monthly basis. In the absence of the Treasurer, the business manager may stamp the Treasurer's facsimile signature on such checks which may be required to issue payroll and any allowable payments due and with proper notification to the Treasurer. The Treasurer will act as Secretary in the absence of the Secretary when a signature is required for legal documents.
- 8.4.5 The Treasurer may be either a member of the Library Board or an employee of the Library, excluding the Library Director, who may not serve as Treasurer. (IC 36-12-2-22)

## **ARTICLE IX**

### **Committees**

#### **Section 1. Executive Committee.**

- 9.1 The executive committee shall be comprised of the President, Vice-President, Secretary, and Treasurer. The executive committee shall be empowered to act on behalf of the library board in matters of emergency in interim periods between regularly scheduled board meetings.

#### **Section 2. Other Committees.**

- 9.2.1 Committees may be established as either an ad hoc or standing committee for specific purposes as defined by the library board.
- 9.2.2 There shall be a standing Bylaws committee whose responsibility shall be to review these Bylaws annually to keep them current. The Vice-President and Secretary shall, by virtue of their office, comprise this committee.
- 9.2.3 Each committee shall generally consist of three members, which may include the President as an ex-officio member.
- 9.2.4 No committee will have other than advisory powers to the Board unless, by action of the Board, the committee is granted specific authority to act on behalf of the Board.
- 9.2.5 Committees shall continue until completion of the charge to the committee or the committee has been dissolved.

## ARTICLE X

### Meetings

#### **Section 1. Regular Meeting.**

- 10.1.1 The regular monthly meeting of the Library Board shall be held on the third Tuesday of each month at 4:30 p.m. at the Jeffersonville Township Public Library, 211 E. Court Avenue, Jeffersonville, or another designated location or time, provided public notice is given at least 48 hours before the meeting.
- 10.1.2 The Library Board may, by resolution adopted at any regular or special meeting, change the date, time, or place of any subsequent regular meeting of the Board. The new date shall be published in the *News and Tribune*.

#### **Section 2. Annual Meeting.**

- 10.2 The regular February meeting shall be considered the annual meeting.

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

- 10.3 Special meetings may be called by the President or by the signed, written request of three board members for the transaction of business stated in the call for the meeting.

#### **Section 4. Quorum.**

- 10.4 Four members shall constitute a quorum at any regular, annual, or special meeting.

#### **Section 5. Voting Procedures.**

- 10.5.1 Formal voting on all matters of business may be by verbal yea and nay unless the President elects another option. The Secretary to the Board will record individual votes on a question only when a member of the Board requests that the Minutes record a roll call. Minutes shall generally indicate "motion passed" or "approved by consensus."
- 10.5.2 Majority vote of any quorum present shall pass any resolution or motion.
- 10.5.3 The President may vote on all questions and may, after temporarily relinquishing the gavel, introduce a motion from the floor. The President may not, however, resume the chair until after a vote on the motion has been taken and the acting President has returned the gavel.

## ARTICLE XI

### Library Budgetary Controls

#### **Section 1. Library Budget Estimate.**

- 11.1.1 The Library Director shall prepare an annual budget estimate for the review of the Board, based upon the expected revenues as provided by the Indiana Department of Local Government Finance and other local revenue sources.
- 11.1.2 The Library shall follow approved procedures established by the Indiana State Board of Accounts in the current Accounting and Financial Reporting Regulation Manual.
- 11.1.3 The Library Board shall receive monthly financial statements showing detail of library receipts and disbursements within library funds, and shall make transfers periodically to balance accounts within each fund.
- 11.1.4 The Library Director shall be authorized to make transfers between the various financial depository accounts.

#### **Section 2. Bonding of Officers and Staff.**

- 11.2.1 The Treasurer shall be bonded.
- 11.2.2 The Library shall carry adequate insurance coverage to ensure the Library against the dishonesty of any employee.

#### **Section 3. Board of Finance.**

- 11.3.1 The Library Board shall meet annually as a Board of Finance after January 1 and on or before January 31 (after the first Monday and on or before the last day of January) (IC 5-13-7-6). The Board of Finance shall elect officers. Typically, the officers of the Board of Finance are the same officers as the Board of Trustees.
- 11.3.2 The Library Director and the Library Board Treasurer shall serve as the library Board of Finance investing officers.
- 11.3.3 The investing officers shall provide the Board with a written report summarizing the Library's investments during the previous calendar year. The Board of Finance shall review the report and the overall investment policy of the Library.
- 11.3.4 The Library Board of Finance shall choose at least two (2) financial institutions as the Library's depositories, but does not have to prorate funds between the two (2) financial institutions.

#### **Section 4. Investments.**

- 11.4.1 It is the policy of the Jeffersonville Township Public Library (JTPL) to invest its funds in a manner that will provide the maximum security with the highest investment return, while meeting the daily cash flow needs of the Library and complying with IC 5-13-9.
- 11.4.2 The duly appointed members of the JTPL Board of Trustees are the fiscal body of the Library and thus constitute the “Board of Finance.” The members serve without compensation (IC 5-13-7-5, IC 36-1-2-6).
- 11.4.3 The Fiscal Officer is the Library Director.
- 11.4.4 The fiscal officer is authorized to invest Library funds only in depositories designated by the Treasurer of State as depositories for state deposits, in securities or discount notes backed by the full faith and credit of the United States Treasury or fully guaranteed by the United States and issued by the United States Treasury, a federal agency, a federal instrumentality or a federal government-sponsored enterprise, or deposit accounts issued or offered by a designated depository.
- 11.4.5 The Library Treasurer and Director are designated as the investing officers, in order to receive bids and to negotiate the sale of investments for the purpose of depositing the proceeds into the Library’s accounts.
- 11.4.6 When investments are made in a certificate of deposit (CD), the investing officers must obtain quotes of the specific rates of interest for the term of the CD. The term of the CD must be no more than two years (IC 5-13-9-5-6). The deposit shall be placed with the designated depository quoting the highest rate of interest. If two or more depositories tie for the highest quote, the investing officers shall select one at his/her discretion (IC5-13-9-4).
- 11.4.7 All interest derived from a Library investment shall be receipted to the Library fund of which it is a part (IC 5-13-9-6).
- 11.4.8 Funds received by the Library will be deposited in one or more designated depositories as needed so receipts on hand stay below \$500.
- 11.4.9 All JTPL public funds shall be deposited in designated depositories located in the territorial limits of the Library District. (IC 5-13-8-9) An exception is Trust Indiana per the State Board of Accounts. Trust Indiana provides local units of government the opportunity to invest in a common pool of investment assets preserving the principal of the public’s funds.
- 11.4.10 The JTPL will annually review the report of the Library’s investments during the previous calendar year and review the Library’s investment policy (IC 5-13-7-6-7).

## ARTICLE XII

### Agenda and Conduct of Business

#### **Section 1. Agenda.**

12.1.1 Items for the Agenda should be submitted to the Library Director in sufficient time for inclusion before the required notice of the meeting is made and materials are distributed to the Board.

12.1.2 The Agenda shall be flexible so far as time permits.

#### **Section 2. Conduct of Business.**

12.2.1 Library Board members should request needed information or resource materials from the Library Director prior to a Library Board meeting in which discussion may result in a change in library policy or procedures.

12.2.2 As a courtesy to the Library Director, any Board member who has strong feelings about any question coming before the Board is asked to communicate this with the director to encourage an open flow of communication and deliberation.

## ARTICLE XIII

### Miscellaneous

#### **Section 1. Suspension of the Rules.**

- 13.1 Any rule, resolution, or provision of these Bylaws may be suspended temporarily in connection with business at hand when approved by a majority vote of those members present, when a quorum exists, if the suspension is deemed in the best interest of the library board at the time.

#### **Section 2. Parliamentary Guidance.**

- 13.2 When there is a question, the rules of parliamentary practice as found in *Robert's Rules of Order*, newly revised, shall govern the proceedings of this Board, subject to the Bylaws, procedures, and policies which have been adopted by the Library Board.