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## 500.01 - Code of Ethics/Conduct

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### Statement of Purpose

The purpose of the Haxton Memorial Public Library's code of ethics is to establish a framework for ethical decision-making, to ensure that library board trustees adhere to high standards of behavior and promote values such as intellectual freedom, access to information, and respect for privacy. Care must be taken at all times to ensure that family and/or personal relationships do not inappropriately influence a trustee's decision-making.

Library board trustees must always be vigilant to prevent personal or family relationships from unduly impacting their decision-making process, essentially meaning that they should not let personal connections sway their votes or actions when making decisions on behalf of the Library on any decision based on personal ties rather than the Library's best interests could be considered a breach of fiduciary duty.

### Guiding Principles

Haxton Memorial Public Library's Board of Trustees will:

- observe ethical standards with truth, integrity, and honor;
- make decisions that are fair, just, and good for the library;
- provide the best quality service to library users through equitable access, organized resources and accurate responses;
- resist censorship of library resources and protect the freedom of expression and access to information;
- protect the privacy of library users and their right to confidentiality;
- respect intellectual property rights and balance the interests of users and rights holders;
- treat colleagues with fairness, respect and good faith;
- avoid using their position for personal gain or to interfere with the management of the library;
- comply with all laws, rules and regulations that apply to them and the library; and
- not be influenced by fear of criticism, public pressure or partisan interests.

### Library Board Trustees and Volunteering

A Library Board Trustee is part of the governing board of the library, while staff and volunteers report to the Library Manager. While Education Law §226(7) specifically prohibits trustees from receiving compensation, some trustees may act as library volunteers. Any trustee who pursues the role of volunteer must be extremely sensitive to the potential conflicts of authority that may arise. The day-to-day management of the library, including the management of staff, is the Library Manager's responsibility. Library Board Trustees also serving as a library volunteer need to be cognizant that some comments, requests, or suggestions may be perceived as an abuse of power and can be detrimental to the chain of command and workplace culture of the library.

**Adopted: November 18, 2024**

Reviewed:

Revised:

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## 500.02 - Conflict of Interest Policy

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### Statement of Purpose

The purpose of this policy is to protect the interests of Haxton Memorial Public Library (“the Library”) prior to entering into a transaction or arrangement that might benefit the private interest of a trustee, the library manager, or staff members. The policy is meant to supplement any applicable state and federal laws that govern conflicts of interest relating to school district public libraries.

### Definitions

1. **Interested Person** A trustee, a library manager, or a staff member who has a direct or indirect financial interest as defined below.
2. **Financial Interest** When an interested person has, directly or indirectly, through business, investment or family,
  - a) an ownership or investment in any entity with which the Library has a transaction or arrangement.
  - b) a compensation arrangement with the Library or with any entity or individual with which the Library has a transaction or arrangement.
  - c) a potential ownership or investment in, or compensation arrangement with, any entity or individual with which the Library is negotiating a transaction or arrangement.Note: Compensation includes direct and indirect remuneration as well as gifts and favors of a substantial nature.
3. **Family** A spouse, domestic partner, parent, child, or sibling of an interested person.

### Conflict Determination Procedures

1. **Disclosure** An interested person must disclose any actual or possible conflict of interest.
2. **Recusal of Self** An interested person may recuse them self from involvement in discussions or decisions.
3. **Determining a Conflict of Interest** After disclosure of the possible conflict of interest and all material facts, the interested person (if not already recused) shall leave the Board meeting while the conflict is discussed and voted upon by the disinterested trustees.
4. **Documenting a Conflict of Interest** The disclosure, recusal (if applicable) and determination of a conflict of interest shall be recorded in the minutes of the meeting.

### Conflict Management Procedures

1. After exercising due diligence, the Board shall determine whether the Library should seek an alternative transaction or arrangement with another person or entity that would avoid a conflict of interest.
2. If an alternate transaction or arrangement is not reasonably possible, the Board shall determine, by a majority vote of the disinterested trustees, whether the original transaction or arrangement is in the Library’s best interest.

## **Conflict Resolution Procedures**

1. If the Board has cause to believe an interested person has failed to disclose an actual or possible conflict of interest, they shall be informed and given an opportunity to explain the alleged failure to disclose.
2. The interested person shall leave the Board meeting while the possible conflict of interest is discussed by the disinterested trustees.
3. If the Board believes that there has been an intentional violation of the Conflict of Interest Policy, it shall consult legal counsel for appropriate action. Should the Board believe that the violation was unintentional, and there were no negative consequences to the Library, the interested person will be reminded of their duty to disclose.

## **Statements and Documentation**

When beginning formal association with the Library and annually at the start of the Library's fiscal year, each Trustee, Library Manager and staff members shall sign a Conflict of Interest Statement (Form 500-A) which confirms they have received a copy of the Conflict of Interest Policy, and have read, understood, and agreed to comply with the policy.

**Adopted: November 18, 2024**

Reviewed:

Revised:

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## **500.03 - Equity, Diversity, and Inclusion Statement**

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The Haxton Memorial Public Library welcomes everyone and is committed to creating a safe space for all individuals. The Library strives to provide our patrons with materials, services, and programs in an equitable manner. We aim to meet the informational, educational, and recreational needs of our entire community, which includes different cultures, experiences, identities, and abilities.

The Library values diversity and is dedicated to cultivating a spirit of empathy, acceptance, and inclusion. We denounce racism, bigotry, prejudice, and discrimination in any form. The Haxton Memorial Public Library affirms our commitment to equity, diversity, and inclusion. We are steadfast in fostering an environment where all members of the community are included and represented.

**Adopted: November 18, 2024**

Reviewed:

Revised:

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## 500.04 - Board Meetings

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### Statement of Purpose

In accordance with Article 7 of New York State's Public Officer's Law, as well as Education Law Title 1, Article 5, Section 260a, the Haxton Memorial Public Library's Board of Trustee meetings shall be open to the general public in order to encourage communication with those interested in library activity. The only exception shall be those meetings or portions of meetings that are devoted to Executive Session. Executive sessions may be called as a portion of the open meeting for appropriate business transacted in accordance with Article 7, Section 105 of Public Officers Law.

### Guidelines

Library Board meetings are for the purpose of conducting library business. Public attendees should recognize that the Board of Trustees are under no obligation to brief them on matters before the Board, take questions, or include a public attendee in a board discussion except during the period of public expression.

Recognizing the responsibility for proper governance, and the need to conduct the Library Board of Trustee's business in an orderly, efficient manner, the procedures outlined below are established to receive input from public attendees.

### Procedures for Public Input at Library Board Meetings

- Audience participation is limited to the portion of the meeting designated for public expression.
- Any person, or group, who wishes to speak is asked to register upon arrival and indicate group affiliation (if applicable).
- When speaking before the Board, individuals are asked to state their name and address for the record.
- Each person may speak for a maximum of five minutes.
- Public input is limited to comments on matters involving Library business or operations.
- Personal complaints against Library staff or Board members shall not be received by the Board in an open meeting. Any such complaint shall be presented to the Library Manager in writing for appropriate action.
- Individuals attending board meetings must conduct themselves with respect and civility towards others. Language which the Board perceives to be reasonably offensive or threatens the orderly and fair progress of the discussion is prohibited.
- Board members are not obligated to respond to comments from the public, but may seek clarification.
- Issues requiring possible action or investigation may be added to a future meeting's agenda.
- Any person, or group, who wishes to place a topic on the official agenda of the Board is asked to contact the Library Manager at least one week in advance of the Board meeting.
- When the Board conducts Special Board Meetings there will be no Public Expression section.

## **Board Meetings**

If the Library Board of Trustees are unable to meet in person due to an emergency, infectious disease outbreak and/or under direct edict of a state or county executive order, the Board will comply with such directives and either reschedule the meeting or meet virtually. This may preclude public comment from occurring during a virtual meeting.

Regular Board meetings shall be held each month with the dates and time set by the Board annually.

Notice of the regular meeting dates will be posted in the Library, on the Library's website and The Batavian's Community Calendar.

## **Meeting Minutes**

Minutes from Board meetings will consist of a record or summary of all motions, proposals, resolutions, attendance, and any matter formally voted upon and the vote thereon.

Minutes from Board meetings will be posted to the Library's website and otherwise made available two weeks following the date of the meeting.

**Adopted: November 18, 2024**

Reviewed:

Revised:

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## 500.05 - Trustee Education Policy

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### Statement of Purpose

The purpose of library trustee training is to help trustees understand their responsibilities and the complex governance processes of libraries. The education must address topics such as financial oversight, accountability, fiduciary responsibilities, and the general powers and duties of library trustees.

### Trustee Education Requirement

Each year Trustees are required to complete two hours of continuing education during their term on the Haxton Memorial Public Library Board.

According to NYS Education law Section 260-D, each Trustee shall demonstrate compliance with the requirements by filing with the President of the Board of Trustees evidence of completion of Trustee Education from an approved provider. A certificate of completion issued by one or more approved providers shall be submitted to the Board President by December 31<sup>st</sup>.

Should a Trustee fail to submit evidence of completion by the above date, the Trustee will be suspended from duty until evidence of completion is filed. Should a Trustee in suspension fail to provide evidence of completion within 90 days, they will be assumed to have resigned from the board.

Compliance will be tracked through the Library's Annual Report to the State.

Trustee education providers and activities (topics and formats) are approved by the New York State Library acting on behalf of the Commissioner of Education.

### Sexual Harassment Prevention Training

All trustees are mandated to annually complete Sexual Harassment Prevention Training as per New York State Human Rights Law. This training does not count towards the two hours of trustee education mandated by New York State Education Law.

**Adopted: November 18, 2024**

Reviewed:

Revised:

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## 500.06 - Removal of a Trustee

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### Statement of Purpose

Trustees of the Haxton Memorial Public Library have an obligation to act cooperatively and responsibly in the best interest of the library and the community it serves.

### Guidelines

All trustees must take responsibility for holding each other accountable.

A library trustee can be removed from their position for a number of reasons including:

1. Neglecting meetings:
  - a. A trustee neglects to attend board meetings on a regular basis and it has a negative impact on the operations of the board.
2. Working against the library:
  - a. A trustee works against the library's interests or board decisions.
3. Acting without approval:
  - a. A trustee acts or speaks on behalf of the board without prior approval.
4. Personal benefit:
  - a. A trustee or their family benefits personally from library matters.
5. Conflict of interest:
  - a. A trustee violates the conflict of interest policy, such as failing to disclose a conflict.
6. Misconduct:
  - a. A trustee is accused of misconduct.

The removal of a library trustee is governed by the library's enabling legislation, charter, bylaws, and policies, as well as New York law. The Board of Trustees can remove a trustee by a majority vote, following these steps:

1. Send a written complaint to the trustee, setting out the reason for removal.
2. Send a written notice to the trustee, including a copy of the complaint, at least seven days before the meeting where the removal will be considered.
3. Allow the trustee to present arguments against the removal before the vote.

**Adopted: November 18, 2024**

Reviewed:

Revised: