

# **DEKALB COUNTY PUBLIC LIBRARY**

## **CONSTITUTION AND BYLAWS**

**Ratified:**

DeKalb County Public Library Board of Trustees  
February 13, 1989

**Amended:**

June 5, 1989  
November 4, 1991  
May 4, 1992  
December 9, 1996  
March 7, 2001  
July 10, 2001  
May 6, 2008

**CONSTITUTION  
DEKALB COUNTY PUBLIC LIBRARY**

**ARTICLE I. NAME**

The name of the system shall be the DeKalb County Public Library.

**ARTICLE II. HEADQUARTERS**

The headquarters for the DeKalb County Public Library shall be located in Decatur, Georgia.

**ARTICLE III. PURPOSE**

The purpose of the DeKalb County Public Library shall be to furnish library service to the people of the county under the regulations governing public libraries as set forth by the State of Georgia.

The DeKalb County Public Library shall offer a full program of library service to all citizens of DeKalb County to meet their informational, educational, and recreational needs; acquire and purchase library materials; circulate materials to the public through the member libraries or by other appropriate means of library extension; maintain and expand existing libraries and establish and develop member libraries, deposits, and other services as appropriate to the needs of the service area; build a reference collection adequate to provide current and reliable information of a research nature as demanded by the needs of the communities comprising the area served; and promote the use of library resources by means of library-centered programs, exhibits, and other public relations media.

**ARTICLE IV. CONSTITUENCY**

The DeKalb County Public Library shall serve all citizens residing within the legal boundaries of DeKalb County.

**ARTICLE V. LEGAL AUTHORITY**

- Section 1. The legal authority for public libraries and boards of trustees is described in Title 20, Chapter 5, Article 5 of the *Official Code of Georgia Annotated*.
- Section 2. According to the agreement entered into between the City of Decatur and DeKalb County, Georgia, dated the 7th day of October, 1947, and amended the 11th day of December, 1962, there was created a Library Board of the DeKalb Library System, now called the DeKalb County Public Library.
- Section 3. No operating procedure shall be in conflict with the legal authority outlined in Section 1.

## ARTICLE VI. GOVERNING BODY

- Section 1. The governing body of the DeKalb County Public Library shall be a Board of Library Trustees. The Board of Trustees shall be composed of persons who are appointed to the County Library Board by the governmental agencies financially supporting the library on a regular basis, as required by O.C.G.A. 20-5-42. The DeKalb County Board of Commissioners may appoint up to ten members, as follows: Eight trustee posts shall be filled by persons chosen from the public at-large. One post shall be reserved for the Chief Executive Officer of DeKalb County. One post shall be reserved for the DeKalb County Executive Assistant. In addition, each municipality within DeKalb County which provides financial support to the DeKalb County Public Library on a regular basis may appoint one person to the Board of Trustees. The operation of the County Library is legally vested in this Board under the provisions of 1) *Official Code of Georgia Annotated*, Article 2, Chapter 5, Title 20; and 2) *DeKalb County Code*, Section 2-8001.
- Section 2. The term of office for the eight county appointees from the public at-large and appointees from supporting cities shall be four years, with starting and ending dates corresponding to the county's fiscal year (calendar year). These members may serve on this board for no more than three successive four-year terms of office (12 years). Board members appointed under previous Constitution (October 19, 1964 and amended November 14, 1983) will complete their appointed terms. These Board members may be reappointed if the new term of appointment results in a total of twelve (12) years or less of successive service. The term of office for the Chief Executive Officer and the Executive Assistant shall begin on the first day of their appointment and end on the last day of their tenure in that office. In order to establish a four-year rotation for Board members, the two county appointments made in July 1989 will expire in December 1991; and the two county appointments made in December 1989 will expire in December 1990. These appointments will be considered unexpired terms.
- Section 3. Board members shall receive no compensation but may be reimbursed for any reasonable and necessary expenses incurred in the performance of library business, or if stipulated in the terms of any bequest or gift. Membership dues or fees for individual membership of Board members in state, regional and national library associations may be paid from operating funds.
- Section 4. Vacancies shall be filled in the same manner as appointments are made. If a vacancy occurs prior to the expiration of a trustee's term, the new appointee shall complete the unexpired term; time served on unexpired term shall not be considered in maximum time allowed to serve on Board.
- Section 5. The DeKalb County Public Library Board of Trustees may designate a DeKalb County resident ages 14 through 18 to serve as a non-voting teen representative to the Board of Trustees for a one-year term of office. The teen representative may be reappointed for a second term. The teen representative may attend all meetings except Executive Sessions. The teen representative will not be covered under DeKalb County Public Library's Travel Policy and Procedures.

## ARTICLE VII. OFFICERS

- Section 1. The Officers shall be a Chair, a Vice Chair and a Treasurer. All Officers must be chosen from the appointed board members. The secretarial duties shall be performed by a person selected and approved by the Library Director. These Officers shall perform the duties prescribed by the Bylaws and by the parliamentary authority adopted by the Board.
- Section 2. Nomination shall be made by a committee of three Board Members appointed by the Chair.
- Section 3. The officers shall be elected at the December meeting to serve for one year or until their successors are elected, and their terms of office shall begin at the close of the meeting at which they are elected. An officer is elected for a one-year term and may serve only two successive terms. Section 3 shall become effective January 1, 1992.
- Section 4. The Treasurer, the Director, and any members of the staff authorized to handle library funds shall be bonded for an amount commensurate with the amount of funds handled, determined by the Board and entered in the minutes, and a copy of the bond filed with the Office of Public Library Services of the Board of Regents of the University System of Georgia.
- Section 5. All Federal, State and local funds used for the operation and improvement of the services and facilities of the DeKalb County Public Library shall be received by the Manager, Administrative Services and reviewed by the Treasurer and shall be used in accordance with the budget approved by the Board.

## ARTICLE VIII. EXECUTIVE COMMITTEE

An Executive Committee, composed of the officers of the Board, shall be entrusted to govern in the name of the Board of Trustees between meetings of the Board.

## ARTICLE IX. STANDING COMMITTEES

Standing Committees shall be the Finance Committee, the Personnel Committee, the Building and Grounds Committee, Long Range Planning Committee, Governmental Liaison Committee, and the Committee on Constitution and Bylaws. Other special and additional Standing Committees may be appointed by the Chair as directed by the Board.

## ARTICLE X. CONTRACTS

The DeKalb County Public Library is authorized to make and enter into such contracts or agreements, for all or any part of the County Library System as are deemed necessary and desirable under the provisions of Article 2, Chapter 5, Title 20 of the *Official Code of Georgia Annotated* (20-5-49).

## ARTICLE XI. AMENDMENT OF CONSTITUTION

This Constitution may be amended at any regular meeting of the Board of Trustees by a two-thirds vote of the members present, provided that notice is made in writing at least two weeks prior to the meeting and provided that a quorum is present. All amendments to the Constitution will be filed with the Office of Public Library Services of the Board of Regents of the University System of Georgia immediately upon adoption.

## ARTICLE XII. PARLIAMENTARY AUTHORITY

Parliamentary authority shall be the *Robert's Rules of Order Newly Revised*.

**BYLAWS  
DEKALB COUNTY PUBLIC LIBRARY**

**ARTICLE I. DUTIES AND RESPONSIBILITIES OF BOARD MEMBERS**

The County Board of Trustees is the legal governing body of the DeKalb County Public Library. It shall be the duty and responsibility of Members of the Board of Trustees:

- a) To employ a Director for the County Library who meets state certification requirements. Authority for the technical administration and supervision of the libraries in the system shall be vested in the County Library Director.
- b) To approve budgets prepared by the County Library Director and to assume responsibility for the presentation of the library's fiscal needs to the supporting agencies.
- c) To attend board meetings.
- d) To establish policies governing library services, programs.
- e) To set policy for the receipt and administration of gifts of money and property.
- f) To present financial and progress reports to governing officials and to the public.
- g) To provide a plan for long-range library development.
- h) To plan new and expanded library facilities, select sites, and name libraries.
- i) To notify the County Library Director in advance of all meetings of the Board or committees.
- j) To evaluate the performance of the Director.

**ARTICLE II. DUTIES OF THE OFFICERS**

Section 1. The Chair shall:

- a) preside at all regular or called meetings
- b) appoint all committees
- c) be an ex-officio of all committees.

Section 2. The Vice-Chair shall:

- a) preside in the absence of the Chair
- b) perform all other duties as assigned by the Chair.

Section 3. The appointed Secretary shall

- a) record the official actions of the Board
- b) keep a record of attendance at Board meetings
- c) have the custody of the official books, which shall be housed in the County Library headquarters
- d) notify the proper appointing authorities of vacancies which may occur on the County Library Board
- e) report changes of membership to the Office of Public Library Services of the Board of Regents of the University System of Georgia
- f) send copies of the minutes of all meetings to the participating agencies.

- Section 4. The Treasurer shall:
- a) regularly review and approve financial reports as prepared by the Manager, Administrative Services
  - b) assist with development of state and county budget requests and presentation to library board.

### ARTICLE III. DUTIES OF STANDING COMMITTEES

- Section 1. Finance Committee  
The Finance Committee:
1. shall consist of at least two Board members, including the Treasurer
  2. shall assist Library Director in preparing annual budgets
  3. will make recommendations for increases in appropriations
  4. shall negotiate with appropriating agencies as needed to provide for DeKalb Library's welfare and support
  5. will keep themselves and Board informed of financial status, funding sources and needs of the library
  6. will explore methods of increasing library's income through new sources.
- Section 2. Personnel Committee  
The Personnel Committee:
1. shall consist of at least two Board members
  2. shall develop and implement policies for "Search Committee" to follow when Library Director position becomes vacant
  3. will review and inform Board of personnel policies
  4. shall recommend qualification for membership on Board
  5. shall provide orientation for new trustees
  6. shall compile comments about the Library Director's performance from all Trustees and shall develop a draft of the Director's performance evaluation for consideration by the Board
  7. will keep Board informed of all local, state and federal laws that relate to current employment practices.
- Section 3. Building and Grounds Committee  
The Building and Grounds Committee:
1. shall consist of at least two Board members
  2. will develop and implement an inspection instrument to be used for evaluation of Building and Grounds of DeKalb libraries
  3. shall review inspection reports and make recommendation for maintenance and improvements of Buildings and Grounds
  4. will review plans for new, expanded, or remodeled Buildings and Grounds
  5. shall make recommendations from their analysis and reviews to the Board as needed
  6. shall request allocations annually for maintenance and operation of Building and Grounds for DeKalb libraries.

Section 4. Long Range Planning Committee

The Long Range Planning Committee:

1. shall consist of at least two Board members
2. shall analyze community library services
3. shall identify strengths and weaknesses of library services
4. shall develop both short and long-range plans for library operation and growth
5. shall set priorities and decide on course of action to implement plans
6. may review budget versus services annually.

Section 5. Governmental Liaison Committee

The Governmental Liaison Committee:

1. shall consist of at least two Board members
2. shall establish a local legislative network
3. shall encourage citizen support of libraries
4. shall work to impact legislation relating to libraries
5. shall keep Board informed of legislation affecting libraries and its value.

Section 6. Committee on Constitution and Bylaws

The Committee on Constitution and Bylaws:

1. shall consist of at least two Board members
2. shall study, know, and interpret all local, state and federal laws which affect public libraries
3. shall develop, revise as necessary, a constitution and bylaws for DeKalb County Public Library
4. shall attend and participate knowledgeably in all board meetings to assure conformity to legal responsibilities
5. may review minutes for correct recordings according to *Robert's Rules of Order Newly Revised*
6. shall advise Chair on proper procedures and authority per Constitution and Bylaws adopted by DeKalb County Public Library Board.

ARTICLE IV. DUTIES OF THE DIRECTOR

Section 1. The Director of the County Library must hold at least a Grade 5(b) Librarian's Professional Graduate Certificate as defined by the State Board for the Certification of Librarians.

Section 2. The Director shall be the administrative head of the library system under the direction and review of the Board.



- Section 3. It is the duty and responsibility of the Director:
- a) to employ or terminate other staff members, as necessary, in compliance with applicable laws and the availability of funds
  - b) to attend all meetings called by the Office of Public Library Services of the Board of Regents of the University System of Georgia or send a substitute authorized by the Division Director
  - c) to prepare any local, state, or federal annual budgets
  - d) to notify the Board of Trustees and the Office of Public Library Services of the Board of Regents of the University System of Georgia of any failure to comply with:
    - (1) policies of the board
    - (2) Criteria for State Aid
    - (3) state and federal rules and regulations
    - (4) all applicable local, state or federal laws
  - e) to administer the total library program, including affiliated libraries, in accordance with policies adopted by the Board of Trustees of the DeKalb County Public Library
  - f) to attend all meetings of the Board of Trustees of the County Library, and affiliated Boards, or to appoint a designee.

#### ARTICLE V. MEETINGS

- Section 1. In the month of December of each year, the Board will establish a schedule of meetings for the following year.
- Section 2. Special meetings may be called by the Chair or upon the written request of three Board members, for the transaction of business stated in the call for the meeting. No business other than that for which the meeting was called may be discussed or conducted at a called meeting.
- Section 3. Prior to each regular or called meeting the Director of the County Library shall notify each member of the date, time, and place of the County Library Board meeting.
- Section 4. Meetings of the Executive Committee may be called by the Chair to transact any business requiring attention between regular meetings of the County Library Board.
- Section 5. All meetings shall be open to the public in compliance with the Open Meetings Act (O.C.G.A. 50-14-1, et seq.). The DeKalb County Public Library Board of Trustees adopted a policy of compliance October 3, 1988.
- Section 6. *Robert's Rules of Order Newly Revised*, when not in conflict with this Constitution and Bylaws, shall govern the proceedings of the Board of Trustees of the DeKalb County Public Library.
- Section 7. Each member of the County Library Board shall have one vote. The chair shall not vote except in the case of a tie vote, at which time the Chair shall vote to break the tie.

Section 8. A simple majority of Board members shall constitute a quorum. The Chief Executive Officer and Executive Assistant, if not present at a meeting, may be excluded from the number of members required to calculate a quorum. No official business may be conducted without a quorum. Except as stated in Article VIII of this document, a simple majority affirmative vote of the quorum present shall be necessary to approve any action before the Board.

Section 9. The usual order of business for meetings shall be:  
Call to order  
Approval of minutes of previous meeting  
Treasurer's report  
Director's report  
Reports of committees  
Unfinished business  
New business  
Adjournment

#### ARTICLE VI. REPORTS

The County Library System is responsible for all reports as deemed necessary by local, State and Federal funding agencies. An annual report of activities, income and expenditures, and any other reports necessary to obtain funds or meet requirements of the law or the Office of Public Library Services of the Board of Regents of the University System of Georgia, shall be filed as required by law.

#### ARTICLE VII. ATTENDANCE

Section 1. A Board member shall be removed for cause or for failure to attend three consecutive regularly-scheduled meetings, unless absences are excused by a simple majority vote of the Board.

Section 2. A letter reporting the removal and specifying the cause shall be sent to the affected Board member and to the funding agency responsible for the appointment. The funding agency shall be asked to appoint another representative to fill that member's unexpired term.

#### ARTICLE VIII. PENALTIES

Employees or agents of the DeKalb County Public Library may cause the arrest, fine, and imprisonment of persons who borrow, and fail to return books and other property owned by the DeKalb County Public Library; deface, damage, steal, or otherwise improperly use or abuse library property; or commit other violations as described in the *Official Code of Georgia Annotated*, Title 20, Chapter 5, Article 2.

## ARTICLE IX. AMENDMENTS

These Bylaws may be amended at any regular meeting of the Board of Trustees by a two-thirds vote of the members present, provided that notice is made in writing at least two weeks prior to the meeting, and provided that a quorum is present. All amendments to these Bylaws shall be filed with the Office of Public Library Services of the Board of Regents of the University System of Georgia immediately upon adoption.