

BYLAWS

South Central Kansas Library System

*Adopted by the
South Central Kansas Library System Board, October 28, 2013
[To be voted upon by the South Central Kansas Library System Board, October 30, 2017]*

Article I

Name

The name of this organization shall be the South Central Kansas Library System. Throughout the statement of these bylaws, the term "System" shall mean the South Central Kansas Library System.

Article II

Authority and Purpose

By authority of Kansas Statutes Annotated 75-2547, et seq., the System is a political and taxing subdivision of the State of Kansas and a non-profit, educational entity. The purpose of the System is to provide through an organization of cooperating libraries, service to all citizens of the South Central region.

Article III

Membership

Section 1. Membership of each participating library is established by petition to the State Library of Kansas Board in the original petition for system designation or by amendment to that petition, with prior approval of the System's governing body.

Section 2. As defined by K.S.A. 75-2548, membership shall be open to any school, two or four-year college, regents university, public library, or special library in the manner authorized by state law, ~~and~~ regulations of the State Library of Kansas Board. **[and SCKLS Membership Eligibility Policy]**.

Comment: Incorporates the Membership Eligibility Policy authorized May 2013 (<http://sckls.info/DocumentCenter/View/823>)

Section 3. A participating library may withdraw from membership to the System by submitting written notification to the System's governing body, one year prior to the adoption of the annual budget, subject to the approval of the State Library of Kansas Board.

Section 4. The participating libraries of a county, when in unanimous agreement, may withdraw that county from the System by submitting written notification to the System's governing body one year prior to the adoption of the annual budget, subject to the approval of the State Library of Kansas Board.

Section 5. In the event of the withdrawal of a participating library from the System, all system assets and property such as rotating materials, and other materials and equipment on loan from the System shall be returned to the System.

Article IV

Governing Body

Section 1. The governing body of the System shall be the System Board. The board shall consist of one representative or an alternate appointed by the Trustees or institutional administrators of each participating [member] library. In addition, there shall be one representative [from within the taxing district of the regional library system appointed by the board of county commissioners of each county that is part of the regional library system] ~~Governor~~ to represent territory not within the district or any participating library, but within the tax district of the system. The [System B]board shall also consist of the Executive Committee.

Comment: Incorporates new language from House Bill 2102 changing appointment authority from Governor to County Commissions.

[New Section 2] County Appointees shall serve terms of four years with six of the twelve county representatives first appointed by January 1, 2019 and the remaining six by January 1, 2020. Terms of office shall commence January 1 following the year of appointment and expire December 31 four

years thereafter. Upon the expiration of the original four year terms, County Appointees may be reappointed or their successors appointed for a term of four years by the board of county commissioners for each county. A County Appointee serves until reappointed or a successor is named by the board of county commissioners for the county. No person who has been appointed for two consecutive four-year terms as a County Appointee to the System Board shall be eligible for further appointment until one year after the expiration of their second term. Governor's Appointees prior to July 1, 2017 continue to serve as County Appointees until reappointed or their successor is named by the board of county commissioners for the county.]

Comment: Currently, bylaws provide that county appointments all expire in the same year. Staggering the appointment terms to 6 each year over a 2 year time period will allow SCKLS to effectively facilitate the appointment process with each county commission. Currently, there are no term limits for county appointees. The new term limit of two consecutive four-year terms follows the same term limitations in KSA 12-1222 for public library board members.

Section [3] 2. Each library representative is eligible to serve on the System Board until the officers of the participating library, college, university or school district appoint a replacement. The name of each member library's representative and alternate shall be communicated to the System Director by June 1 of each year. ~~The Governor's Appointees are eligible to serve until the Governor appoints a replacement.~~

Section [4] 3. As specified in K.S.A. 75-2550, the System Board shall have authority to 1) operate a system of library service to and for participating libraries; 2) purchase service from a participating library for the benefit of the system; 3) contribute to or receive and utilize any gifts to the system; 4) contract with participating libraries; 5) contract with any other system board; and 6) employ a System Director and such other persons as the System Board may find necessary. The System Board shall have authority to ~~pass upon the policies and philosophy of operation of the system as set by the Executive Committee]~~ adopt the annual budget ~~and program of services~~, elect the Executive Committee, and to delegate in these bylaws to the Executive Committee such powers and duties as the Board may deem appropriate, subject to any restriction imposed by law.

Comment: Provides clarifications of duties previously delegated to the Executive Committee in accordance with KSA 75-2550 in Article V, Executive Committee, Section I.

Article V

Executive Committee

Section 1. As specified in K.S.A. 75-2550a, the Executive Committee shall have authority to set policy, perform legal functions, hire a System Director, and conduct system business on a month-to-month basis between meetings of the system board. To that end, the Executive Committee is hereby delegated those powers, enumerated in Article 4, Section [4]3, with the exception of power to adopt budget, which power is reserved exclusively to the System Board. The Executive Committee is specifically authorized on behalf of the board to act upon applications for system membership.

Section 2. The Executive Committee shall consist of a total of 13 members. It will include one ~~representative~~ [position] from each of the following interest areas: 1) [County] ~~Governor's~~ Appointees, 2) School district libraries, 3) Gateway public libraries, 4) Linking public libraries, 5) Service Center I public libraries, 6) Service Center II public libraries, 7) Major Service Center I public libraries, 8) Major Service Center II public libraries, 9) Major Resource Center public libraries, 10) Two or four year college libraries, and (11) Regents University libraries. Two At-large members shall be elected by the System Board. With the exception of [County] ~~Governor's~~ Appointees and At-large members, a member of the Executive Committee shall be a current member of a public library board, an employee of a member public library or an institutionally designated representative of a member academic, school district or special library [of] ~~in~~ the interest area ~~the member represents~~. The two At-large members may be citizens who shall reside within the boundaries of the System and are interested in improving library services. To promote diversity and equitable representation on the Executive Committee, an Executive Committee member shall be affiliated with only one member library. Affiliation is defined as being employed by, serving on the board of directors of or belonging to the Friends group of a member library.

Comment: Word changes and clarifications substituting “position” for “representative” and “county” for “Governor’s”.

Section 3. The standard term of office for an elected member of the Executive Committee shall be four years with a maximum of two consecutive four-year terms. [No person who has been appointed for two consecutive four-year terms as a County Appointee to the System Board shall be eligible for further appointment until one year after the expiration of the second term.] A[n Executive Committee] member appointed to serve an unexpired term remains eligible for two consecutive four-year terms upon completion of the unexpired term. In the event of a vacancy, the Chair may fill the position by appointment, which will be in effect for the remaining term of the vacated position. In the case of a vacancy from an interest area in which there is only one member library, appointment will be made by the Chair of the Executive Committee in consultation with the respective member library and with the approval of the Executive Committee. In the case of an Executive Committee member who is also a member of a local public library board, the Executive Committee member's term of office on the Executive Committee shall end in December of the year in which such Executive Committee member's term of office on a local public library board expires. To avoid a potential conflict of interest no individual employed by the Hutchinson Public Library prior to January 1, 2005 nor current nor former employee of SCKLS shall be eligible to serve on the Executive Committee.

Comment: Currently, there are no term limits for [Governor's] County Appointees who serve on the Executive Committee members. The new term limit of two consecutive four-year terms follows the same term limitations in KSA 12-1222 for public library board members.

Section 4. The members of the Executive Committee shall elect a Chair, Vice Chair, and Secretary/Treasurer in December. Terms of office begin January 1 and end December 31 of each year. [Officers of the Executive Committee shall serve as officers of the System Board.] The duties of the officers are as follows:

Comment: Adds clarification since current bylaws do not identify that officers of the Executive Committee also serve as officers of the System Board.

The Chair shall set the agenda for and preside at all meetings; appoint all committees; be a voting member of all committees; sign all approved

minutes, assume, jointly with other officers, responsibility to authorize the disbursement of funds; and generally perform all duties associated with that office.

The Vice-Chair, in the event of the absence or disability of the Chair, or of a vacancy in that office, shall assume and perform the duties and functions of the Chair.

The Secretary / Treasurer shall sign all approved minutes of proceedings of each Board and Executive Committee meeting; insure that adequate and correct accounts of the funds and property of the System are kept; sign all disbursements approved by the Executive Committee; and be bonded in an amount determined by the Executive Committee.

Section 5. Any Executive Committee member may resign upon submitting a written resignation, which shall be filed with the Chair. The resignation shall become effective when so filed, unless some other effective date is set forth in the resignation.

Section 6. The System Director shall be the administrative officer for the System. He or she shall report to the Executive Committee on the operations of the System and shall employ and direct such employees that are found to be necessary for the operations of the System.

Section 7. The Recorder will be a System employee designated by the System Director to keep true and accurate minutes of all proceedings of each Board and Executive Committee meeting, attaching a copy of any documents adopted by the Board or Executive Committee; and provide copies of the minutes on request.

Article VI

Ethical Standards

Section 1. Members of the Executive Committee and the System Director must promote a high level of library service while observing ethical standards. No member of the Executive Committee or the System Director may directly or indirectly have an interest in a business or service that conducts business with or contracts with the System. Executive Committee members and the System Director must also avoid situations in which

personal interests might be served or financial benefits gained at the expense of library users, member libraries, or the System as a whole. [Executive Committee members shall comply with applicable state and federal laws and System policies. Executive Committee members shall not use their position to gain unwarranted privileges, advantages or information for themselves or others. Executive Committee members shall not interfere with the management responsibilities of the System Director or the management of System staff.]

Comment: Incorporates additional standards adapted from the Ethics Statements for Public Library Trustees available from the American Library Association
(<http://www.ala.org/united/sites/ala.org.united/files/content/trustees/orgtools/Ethics%20Statement.pdf>)

Section 2. Any member of the Executive Committee who applies for employment with the System must resign prior to making application. A new Executive Committee member will be appointed in accordance with the process outlined in the Bylaws.

[New Section 3] The Executive Committee shall have authority to address violations of ethical standards, misconduct or failure to perform duties by any member of the Executive Committee or System Board. A member of the Executive Committee or System Board shall be removed upon a majority vote of the Executive Committee at any time for the following reasons: 1. Misconduct in office; 2. Failure to perform duties as prescribed; 3. For such good and sufficient cause deemed injurious to the System and its purposes. Notice of removal from the Executive Committee and an opportunity to submit a written response to the cause(s) for removal shall be provided to the member of the Executive Committee or System Board for whom removal is being considered.

Comment: Currently, Parliamentary Procedure is the basis for removal of a member. The Executive Committee's authority and causes for removal of an Executive Committee or System Board member will now be specifically addressed in the bylaws.

Article VII

Standing Committees

Section 1. The System Executive Committee shall serve as the budget committee. The System Director shall present a ~~recommended~~ [tentative] budget and plan of operation to the Executive Committee [for approval by June 1 each year]. The Executive Committee shall then evaluate and recommend the budget to the System Board for approval at the [August] ~~April~~ meeting.

Comment: Incorporates current budget practice and dates.

Section 2. Such other committees, standing or special, shall be appointed by the Chair, as the System Executive Committee shall from time to time deem necessary.

Article VIII

System Board Meetings

Section 1. Regular meetings of the System Board [for the transaction of business] will be held in April, [August] and October or at the call of the Chair. The April meeting shall be ~~the annual meeting for operations and~~ for the transaction of other business. [The August meeting shall be for authorization of the annual budget] The October meeting shall be the regular meeting for elections to the Executive Committee, as well as for transaction of other business. Information concerning business items will be available to all System Board members at least [ten days] ~~one month~~ in advance of the meetings.

Comment: Incorporates current budget practice and dates.

Section 2. Each member of the System Board, or his alternate, shall have one vote in the governance of the System at System Board meetings. A mail ballot may be used, when approved by the System Board or Executive Committee.

Section 3. State law (K.S.A. 75-4317 and 75-4318) specifies that all meetings of the System Board shall be open to the public. The designated

system board member or a duly appointed alternate (as provided for in Article IV, Section 1) from each participating institution and representatives appointed by the [board of county commissioners of each county that is part of the regional library system] ~~Governor~~ shall be eligible to vote in the proceedings of the Board.

Section 4. A majority of qualified representatives present at any legally called meeting of the System Board shall constitute a quorum.

Article IX

Executive Committee Meetings

Section 1. State law (K.S.A. 75-4317 and 75-4318) specifies that all meetings of the Executive Committee shall be open to the public. The Executive Committee shall meet once a month unless the Chair in consultation with the Director determines there is insufficient business to transact. Written notice of such meetings and an agenda must be provided to Executive Committee members at least [two days] ~~one week~~ in advance. At meetings of the Executive Committee, a quorum shall consist of seven members.

Section 2. Special meetings shall be called at any time by the Chair or at the written request of a majority of Executive Committee members. Written notice stating time and place of any special meeting and the purpose for which called shall, unless waived, be given each member of the Executive Committee at least two days in advance of such meeting, and no business other than that stated in the notice shall be transcribed at such meeting.

Article X

Election

Section 1. Public notice seeking nominations for election to the Executive Committee shall be posted at least two months prior to the date of the October System Board meeting. In the case of nominations from interest areas in which there is only one member library, nominations will be made by the respective member library in consultation with the Chair of the Executive Committee.

Section 2. Nominations shall also be requested from the floor at the October meeting.

Section 3. Nominations for election to the Executive Committee from those representatives appointed by the [board of county commissioners of each county that is part of the regional library system] ~~Governor~~ shall be solicited by the System Director.

Section 4. Election will be conducted by signed ballot of designated System Board representatives or alternates.

Article XI

Reimbursement

Section 1. The Executive Committee shall receive no salary, but shall receive reimbursement for actual expenses incurred in attending System functions or in attending library-related functions as a representative of the System.

Article XII

South Central Kansas Library Foundation

Section 1. In accordance with the Bylaws of the South Central Kansas Library Foundation, members of the Executive Committee may serve as the Board of Directors of the South Central Kansas Library Foundation. The Board of Directors of the South Central Kansas Library Foundation may also include authorized representatives that are employees, community volunteers or donors affiliated with a member library.

Article XIII

Bylaws Amendment

Section 1. The Executive Committee shall appoint a bylaws review committee as needed.

Section 2. Amendments to these bylaws shall be made at the April or October meetings of the System Board and shall require a two-thirds vote of the System Board members attending.

Section 3. Proposed amendments, specifying changes, must be provided to all System representatives at least one month prior to the meeting at which the amendments are to be brought before the System Board.

Article XIV

Parliamentary Procedure

All meetings and business shall be conducted according to *Robert's Rules of Order Revised* where such are not in conflict with these bylaws.