WELCOME!
New Public Library Director
Boot Camp
Class of 2018

WISCONSIN
DEPARTMENT OF
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INSTRUCTION

Wednesday

This evening, we will:

- Welcome

- Discuss what you can expect from the boot camp experience

- Talk a lot about Chapter 43

- Rest well, in preparation for the next two days!

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Daily Food for Thought

"It is not the job of the community to make a great library. It's the job of the library to make a great community."

~James LaRue, Director of the ALA Office for Intellectual Freedom; former public library administrator, academic librarian; author, newspaper columnist, blogger, speaker

Chapter 43: Wisconsin Public Library Law

Presenter: Shannon Schultz, Public Library Administration Consultant, Division for Libraries & Technology, DPI

Session Objectives:

- Brief overview of the duties of the Department & the Division

- Understand how public libraries are established under the law

- Learn about library board appointments & composition

- Recognize library board powers & duties

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Intro: Breakdown of Chapter 43

43.00 – 07   **Duties of the state entities (State Superintendent, COLAND, DPI/DLT, RLLL)**

43.09   **Certificates and standards**

43.11 – 12   **County planning and payments**

43.13 – 27   **Public library systems**

43.30 – 72   **Local issues**

43.03-07: Division for Libraries & Technology

Duties of "the Division"

- Coordinate and conduct continuing education programs for librarians of public libraries & library systems, school library media programs and institutional library programs

- Provide professional and technical advisory, consulting, and informational services to public libraries, municipalities, and systems, school districts, state agencies and officers, and institutional library programs

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43.03-07: Division for Libraries & Technology

Duties of "the Division"

- Collect library statistics and conduct studies and surveys of library needs throughout the state and report and publish the findings

- Recommend and distribute standards for public libraries, school library programs and facilities, and institutional library programs

- Establish standards for public library systems

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43.03-07: Division for Libraries & Technology

Duties of "the Division"

- Establish standards for and **issue certificates to public librarians**

- Approve the establishment of public library systems

- Administer aids to public library systems (state and federal)

- Maintain a resources for libraries and lifelong learning service (RL&LL)

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43.03-07: Division for Libraries & Technology

A Few Words about COLAND

- The Council on Library and Network Development (COLAND) is a governor-appointed council that generally advises the State Superintendent and the Division on the policies, activities, budget, and overall direction of the state's programs for public and school libraries and network services

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43.52-57 Establishment of Public Libraries

- Any municipality may establish, equip, and maintain a public library

- A joint library may be created by any 2 or more municipalities or by a county and one or more municipalities located in whole or part in the county

- Tribal associations or governments may also establish a public library

- Counties may establish a county library, county library service, or joint library

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43.52-57 Establishment of Public Libraries

- Every public library shall be free for the use of the inhabitants of the municipality by which it is established and maintained,

  – System membership requires "same services" to all residents of the system area

- … and subject to such reasonable regulations as the library board prescribes in order to render its use beneficial to the greatest number

  – Policies are set by the library board and reviewed regularly

  – "Reasonable" implies they must be uniformly and consistently enforced

- The library board may exclude those who willfully violate such regulations

- Library can charge user fees for services outside of "core library services"

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43.54 Library Board Composition

- Board composition is based on municipality size and type

  - 2nd, 3rd, and 4th class cities have either 7 or 9 board members (Milwaukee is the only 1st class city in the state and different rules apply)

  - Villages, towns, and tribal associations have 5 members (although 2 additional members may be added to total 7)

  - Joint library boards have 7 to 11 members, and are representative of the populations of participating municipalities

  - Consolidated county library boards have either 7 or 9 members

  - County library service boards have 7 members

43.54 Library Board Composition

- Members are appointed by the mayor, village president, town chairperson, or tribal chairperson

- Terms are for 3 years, and expirations are staggered so that the vacancies do not occur at the same time, commencing on May 1

- The appointing authority shall appoint a school district administrator or the administrator's representative

- Not more than one member of the municipal governing body shall at any one time be a member of the library board

- Members shall be residents of the municipality; not more than 2 can live outside the municipality

43.54 Library Board Composition

- A county *may* appoint up to 5 additional members to a local library board, based on the sum appropriated by the county relative to the local appropriation

  - Example: If your municipal library appropriates $300,000 to your library and your county appropriates $120,000…

    - …Then the county's appropriation is more than 1/3 of the municipal appropriation but less than half

    - So the county may appoint 2 additional members to the local library board (per 43.60(3)(a))

In this scenario, a City of the 4th class would have 7 members appointed by the City and then an additional 2 members (if the county board exercises this option) for a total of 9 board members.

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43.60 County Appointments to Local Boards

Wisconsin State Statutes 43.60(3)(a): A county chairperson, with the approval of the county board, may appoint from among the residents of the county additional members to the library board of a public library of a municipality located in whole or in part in the county, for a term of 3 years from the May 1 following the appointment, and thereafter, for a term of 3 years, as follows:

- *(3)(a)1. If the annual sum appropriated by the county is equal to at least 1/6 or less than 1/3 . . . one additional member*

- *(3)(a)2. If the annual sum appropriated by the county is equal to at least 1/3, but less than 1/2 . . . two additional members*

- *(3)(a)3. If the annual sum appropriated by the county is equal to at least 1/2, but less than 2/3 . . . three additional members*

- *(3)(a)4. If the annual sum appropriated by the county is equal to at least 2/3, but less than the annual sum appropriated by the municipality, four additional members*

- *(3)(a)5. If the annual sum appropriated by the county is equal to at least the annual sum appropriated by the municipality, five additional members*

- *(3)(c). A county chairperson may appoint a county supervisor to serve as a member of a library board of a public library of a municipality under par. (a), but no more than one county supervisor so appointed may serve on the library board at the same time*

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43.58 Powers & Duties of the Library Board

- Exclusive control

- Library finances and bills

- Liability

- Supervision of the library, including hiring the director

- Prescribe duties and compensation for staff

- Programming

- Annual report to the DLT

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43.58(1): Exclusive Control

- The library board shall have exclusive control of expenditure of all monies collected, donated or appropriated for the library fund, and of the purchase of a site and the erection of the library building whenever authorized

- The library board shall also have exclusive charge, control and custody of all lands, buildings, money or other property devised, bequeathed, given or granted to, or otherwise acquired or leased by, the municipality for library purposes

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43.58(2): Library Finances

- The library board must approve all expenditures of library funds; however,

- Library funds must be held and disbursed by the municipality (or fiscal agent municipality if a joint library)

- That includes all library revenues, such as fines, fees, sales, and county funds; however,

- Donations and bequests may be deposited or transferred as specifically allowed

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43.58(3) Liability

- *"Any person having a claim or demand against the municipality or county growing out of any act or omission of the library board shall file with the library board a written statement thereof. If the claim or demand or any part thereof is disallowed, the claimant may bring an action against the municipality or county."*

- This provides a framework for legal claims

43.58(4): Hiring the Director

- The library board has the authority to hire, supervise, and, if necessary, fire the library director
- The director is under the direct supervision of the library board
- The director hires and supervises all staff and volunteers who work in the library
- The library board also has the legal authority and responsibility for determining the general duties and compensation of all library staff, including the director

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43.58(5): Programming

- *"The library board may employ competent persons to deliver lectures upon scientific, literary, historical or educational subjects; and may cooperate with the UW System, technical college district boards, the historical society, the department, cooperative educational service agencies, school boards and other educational institutions to secure such lectures or to foster and encourage by other means the wider use of books and other resources, reference and educational materials upon scientific, historical, economic, literary, educational and other useful subjects."*

43.58(6): Annual Report

- The library board must submit a report (aka, the annual report) to the DLT and its governing body within 60 days of the conclusion of the fiscal year

  – States the condition of funds held in trust by the library board

  – Reflects all funds in the library board's control, including detail of all expenditures paid by the library

  – Includes data concerning materials, facilities, personnel, operations, programming, etc.

  – Contains a statement by the library board indicating whether the public library system in which the library participated that year did or did not provide effective leadership

43.58(7): Donations, Bequests, and Trusts

- The library board may receive, manage and dispose of gifts and donations by:

  - Transferring the funds to the treasurer of the municipality or county that established the library

  - Resolve to deposit the funds with a public depository (a bank, credit union, or savings and loan in WI, or the local government investment pool)

  - Entrust the funds to a financial secretary, who may invest the funds as permitted

  - Pay or transfer funds to a charitable organization whose purpose is to provide financial or material support to the public library, or a community foundation (NOTE: if transferred to a library or community foundation, the board maintains control over the disbursements of the proceeds and principle)

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43.11 County Plan

- All counties should have a county plan for library service, particularly for residents not served by a local library

- Planning committee creates, reviews or updates the plan

- Shall include full access to public libraries participating in the public library system (for residents not served by a local library) and reimbursement for that access

- Addresses the county's participation in the library system

43.11 County Plan

- May provide direct services (books by mail, bookmobile)or contracted services or provide improved services countywide and in municipalities that have libraries

- May require municipal cross-border payments for circulation (not to exceed actual cost)

- May also include minimum standards

  – If approved by the county board of supervisors, as well as

  – By the local library boards of at least 50% of the participating municipalities representing at least 80% of the population of participating municipalities in the county [s. 43.11(3)(d)]

43.12: County Payments

- Requires reimbursement of at least 70% of the operating costs for serving non-resident borrowers (aka: rural residents)

- Act 150 (1997) required payment to libraries within the county

- Act 420 (2006) required payment to libraries in adjacent counties

- Act 157(2013) enabled libraries to bill consolidated county libraries

- Circulation used as measure of resident/non-resident use

➢ **Claims must be submitted by July 1 for payments to be made March 1 of the following year**

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43.64: County Tax & Exemption

- Provides authority for counties to tax for public library services

- A municipality that supports a public library can be exempt from the county tax if the municipality appropriates and expends for a library fund an amount above the defined minimum, which is based on the equalized value of the property taxed for county library service

- The request must be calculated and submitted annually

- Not all library communities will exempt from the county tax

➢ **This is the responsibility of the municipality, but it should be on your radar**

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43.24(2): System Eligibility for State Aid

- State aid is the funding that systems receive, as appropriated by the legislature

- In order to receive state aid, certain services are required by law:

  - Written agreements with all member libraries

  - Written agreement with resource library (statutorily supplies back up reference, ILL, and development of specialized collections)

  - Referral or routing of reference and ILL requests from member libraries to other member libraries and libraries outside the system

  - In-service training for member library personnel and trustees

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That's It!

Go to your room, the lounge, the courtyard, or the DQ down the road. Get some rest and be ready to learn at 8:00 a.m.

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Thursday

Today, we will talk about:

- Facility Management

- Relationships with Stakeholders

- Policies Procedures, and Privacy

- Confessions of Some Library Directors

- Hiring & Managing Staff

- Safety & Security

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Daily Food for Thought

"It is not the job of the community to make a great library. It's the job of the library to make a great community."

~James LaRue, Director of the ALA Office for Intellectual Freedom; former public library administrator, academic librarian; author, newspaper columnist, blogger, speaker

Running the Facility

Presenter: Shannon Schultz, Public Library Administration Consultant, Division for Libraries & Technology, DPI

Session Objectives:

- Understand who is responsible for the building according to the law

- Know what relationships are key to running a facility

- Learn about some sample forms that can be used to track facility maintenance

Running the Facility

"Managing the facility is perhaps one of the most challenging and unexpected responsibilities placed on the library director, in terms of [lack of] training and preparation."

- Shannon Schultz, when preparing this presentation

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Running the Facility

Why is it so challenging?

- Directors are not trained for it

- Every municipality/governing body has a different arrangement, including "gentlemen's agreements"

- There is confusion as to whose responsibility it truly is

Running the Facility

Chapter 43.58(1):

"The library board shall also have exclusive charge, control and custody of all lands, buildings, money or other property devised, bequeathed, given or granted to, or otherwise acquired or leased by, the municipality for library purposes."

Running the Facility

But…

- Despite their autonomy, public libraries are considered municipal departments

- Facilities are owned by the municipality

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Running the Facility

Therefore…

- The library's relationship (director and board) with the municipality is extremely important to running the facility

- The same is true for personnel management (the other most challenging responsibility a director faces)

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Running the Facility

TIPS:

- Review your relationships periodically
  - How is it budgeted?
  - Who is paying for it?
  - Are the agreements formalized?
- Review public safety issues
- Review the layout of furnishings and services with an eye for accessibility

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Running the Facility

TIPS:

- Inventory and assess all mechanicals for preventive maintenance
  - Keep a Capital Improvement Plan with life expectancies of equipment
  - See if the library can be added to municipal service contracts under its overall facility program
  - Have conversations with municipal administrator and department heads

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Running the Facility

TIPS:

- IF the library board chooses to contract privately with a vendor…

  - Take careful consideration to ensure that benefits outweigh any ill-will that might result from the library board exercising its authority

- Be cautious about what library staff taking on responsibilities

  - Liability, disability

  - Unrealistic expectations

  - Insurance complications

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Running the Facility

Documents:

- [Sample Maintenance Schedule](#)
- [Annual Building Inspection Checklist](#)
- [Building & Grounds Survey](#)
- [Sample Capital Improvement Plan](#)
- [Sample Library Facility MoU](#)

Who Runs the Library?

Presenter: Ben Miller, Assistant Director of Resources for Libraries & Lifelong Learning (RL&LL), Division for Libraries & Technology, DPI

Session Objectives:

- Create a successful board
- Work productively with your town, village, or city
- Get support from your Friends, Foundation, and other stakeholders

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Policies, Procedures, & Privacy

Presenter: Shannon Schultz, Public Library Administration Consultant, Division for Libraries & Technology, DPI

Session Objectives: To Understand--

- Importance of strong policies
- Statutory support for library policies
- Roles & responsibilities
- Approaches to & elements of strong policies
- Four (4) tests of a legally enforceable policy

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Importance of Strong Policies

- Provide a framework for equitable operations
  - Prevents case-by-case decisions
  - Reduces misunderstandings
    - Staff know procedures
    - Patrons know what to expect
- Provide legal protection for the library
  - Helps prevent and defend against lawsuits
  - Provides library with means to handle gifts
- Promote a positive image of the library

Statutory Support

- "Every public library shall be free for the use of the inhabitants…subject to such reasonable regulations as the library board prescribes…" [43.52(2)]

- "…the library board shall supervise the administration of the public library…" [43.58(4)]

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Roles & Responsibilities

- The library director (with input from staff) recommends policies and policy changes to the Board

- The Board approves and regularly reviews policies

- The library director ensures that staff and library users understand and follow policies

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A Strong Policy…

- Complies with law
- Promotes the best interest of all community members
- Is consistent with the library's mission
- Is fair to all and respectful of individual rights and differences
- Is easily understood and interpreted
- Promotes positive public image of library

Two Approaches to Policies

There is no absolute rule to organizing and categorizing your policies. But…

- Board should decide which is appropriate:
  - Many individual, narrow policies
  - Fewer broad, multi-faceted policies

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Policy Elements

Components of library policy:

- Purpose (WHY the policy is needed)

- Regulation (WHAT action is required)

- Procedure (HOW the policy is carried out)

- *Guidelines (WHEN is an exception permitted; not always necessary)*

  - Guest cards, circ

Four Tests of a Legally Enforceable Policy

Test 1: It must comply with current law

- A library charges patrons for use of computers.
  - Violation of Wis. Stats. section 43.52(2)
- Also charges for use of the printer attached to the computer.
  - NOT in violation of s. 43.52(2)– applies to core library services
- A library restricts meeting room use for religious purposes.
  - Unconstitutional under a WI federal district court decision
- A library prohibits animals in the library.
  - Must provide exception for licensed service animals
  - What about for library programs?

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51

Four Tests of a Legally Enforceable Policy

Test 2: It must be reasonable

- All talking in the library is prohibited and anyone who talks in the library will permanently lose library use privileges.

    - Unreasonable part 1: an unreasonable rule

    - Unreasonable part 2: an unreasonably harsh penalty

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Four Tests of a Legally Enforceable Policy

Test 3: It must be clear

- Library use privileges will be revoked if a patron has too many overdue books.
  - Too vague to be fairly administered
    - Regulation (policy) and procedure (penalty) must *both* be quantifiable
    - Anyone reading the policy should understand what constitutes a violation

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Four Tests of a Legally Enforceable Policy

Test 4: It must be applied without discrimination

- To be legally enforceable, library policies must be applied fairly to all patrons.
- Courts will invalidate policies that are not equally applied to all patrons and/or are used to discriminate against certain people.

Potential issues: waiving fines or fees inconsistently, permitting inappropriate behavior by some, allowing children of staff to be unattended

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Some Important Library Policies

- Circulation (including hours open)

- Collection development

- Confidentiality of patron records

- Meeting room use (if the library has a public meeting room)

- Personnel

- Computer/Internet Use

- Public behavior

Policy Manual: Case Studies

- [North Freedom Public Library](#) (Village Population: 700)

- [Waupaca Area Library](#) (City population: 6,000)

- [Waukesha Public Library](#) (City Population: 72,000)

For more information:

- Your library system staff

- Your municipal attorney

- The boot camp website at: http://winnefox.org/bootcamp/welcome.html

- Wisconsin Public Library Policy Resources web page at: http://dpi.wi.gov/pld/boards-directors/policy-resources

- Shannon Schultz, Public Library Administration Consultant, (608) 266-7270 or shannon.schultz@dpi.wi.gov

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Policies, Procedures, & **Privacy**

Presenter: Shannon Schultz, Public Library Administration Consultant, Division for Libraries & Technology, DPI

Session Objectives:

- Learn about maintaining patron privacy

- Understand privacy-related terms and definitions

- Dig deeper into Chapter 43.30

Presentation link

Prides & Pitfalls:
Confessions of a Public Library Director

Panelists:

. Jenna Assmus, Rio Community Library

. Michelle Dennis, Hedberg Public Library

. Ben Miller, RL&LL (DPI)

. Shannon Schultz, PLD (DPI)

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Whew!

Break/Office Hours

Be back at 2:30; break snacks will be out at 2:15

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Hiring & Managing Staff

Presenter: Shannon Schultz, Public Library Administration Consultant, Division for Libraries & Technology, DPI

Session Objectives:

- To know the steps involved in staff selection
- To understand the benefits of staff training
- To determine the appropriate balance of supervision and discipline
- To know how to conduct a formal evaluation

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61

Staff Selection

The library director is responsible for hiring all staff, per Chapter 43.

1. Contact your system staff

2. Review your personnel policy

3. Have board approve PD and wage/benefits

4. Advertise locally and broadly

5. Screen applicants objectively

Staff Selection

6. Determine how the interviews will be conducted

   - Panels, uniformity, and other protections

7. Check references

8. Make the offer

9. Disclose the terms of hire

   - Probation, wage & benefits, hours, etc.

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Staff Training

Staff need the tools necessary to perform the job they were hired for:

- Conferences

- System training

- Safety/CCR

- Specialized training, especially if evaluation indicates need for improvement

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Supervision & Discipline

The key to effective supervision is determining the appropriate amount to confirm appropriate and effective operations without being intrusive or controlling.

- Too little supervision and staff thinks you do not care
- Too much supervision stifles creativity, initiative, and responsibility
- Successful supervision requires 2-way communication

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Supervision & Discipline

Good training, appropriate supervision, and targeted coaching will minimize the need for discipline. However…

- A progressive discipline plan is vital to protect against discrimination accusations

- Document, document, document!
  - Observed and reported behaviors
  - Deficiencies
  - Accomplishments

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66

Staff Evaluations

- Formal evaluations of staff should happen at least once per year. They consist of:

  - Written evaluation, in an established format, of performance based on PD

  - Interview to discuss the written evaluation and set goals for the next year

- Make discipline easier

- Staff know what is expected

- If you are doing it right, there will be no surprises in the evaluation

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67

For more information:

- Your library system staff

- Your municipality/municipal attorney

- DPI Website: AE-12 (Managing Staff), AE-11 (Library as Employer)

- Contact Shannon Schultz, Public Library Administration Consultant, (608) 266-7270 or shannon.schultz@dpi.wi.gov

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Safety & Security in the Library

Presenter: Michelle Dennis, Head of Access and Security Services, Hedberg Public Library

Session Objectives:

- Learn how to deal with safety and security issues in your library

Presentation Link

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Thursday Evening

Dinner Discussion: How do you refill your bucket?

Following Dinner: Courtyard Time & Networking Mixer (Cash Bar)

Don't overdo it tonight! Be rested and ready to learn at 8:00 a.m.

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Friday

Today, we will talk about:

- Budgeting Workshop

- Miscellaneous Topics

- Seeing and Hearing Your Community

  - *Alternate: For System Directors Only*

- Burning Q & A

- Wrap Up!

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Budgeting Workshop

Presenter: John Thompson, Director, Indianhead Federated Library System

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Whew!

Short Break (no food)

Be back at 9:45

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Miscellaneous Topics in Directorship

Presenter: Shannon Schultz, Public Library Administration Consultant, Division for Libraries & Technology, DPI

Session Objectives:

- Understand open meetings law

- Know how to handle public records requests

- Learn a bit about DPI tools

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19.81(2): Open Meetings Law

- Wisconsin's Open Meetings Law (1976) requires openness in government

- "...all meetings of all state and local governmental bodies shall be publicly held in places reasonably accessible to members of the public and shall be open to all citizens at all times unless otherwise expressly provided by law."

- Meetings must be properly noticed

- AG office provides an [Open Meetings Law Compliance Guide (2018)](#)

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19.81(2): Open Meetings Law

Closed Sessions

- "...all meetings...shall be open to all citizens at all times **unless otherwise expressly provided by law.**"

- Pages 23-30 of the [Open Meetings Law Compliance Guide](#) detail the permissibility, requirements of, and procedure for convening in closed session

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19.31-39: Public Records Requests

Public Records

- Public libraries and library boards are subject to public records law; emails and other communications may also be subject

- Record: any material on which written, drawn, printed, spoken, visual, or electromagnetic information is recorded or preserved, regardless of physical form or characteristics, which has been created or is being kept by an authority [s. 19.32(2)]

- AG office provides a Public Records Law Compliance Guide

- Your board may adopt the Records Retention Schedule

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DPI Tools

- [2018 Wisconsin Public Library Standards](#)

  - Statutory Requirements of Public Libraries

  - System Membership Requirements

  - Tiered Standards, including Quantitative Standards

- [Trustee Essentials](#)

  - For Trustees

  - Great for Conducting Trustee Orientation and Training Sessions

- [Administrative Essentials](#)

  - Companion to the Trustee Essentials, but for the Director

- [Certification](#)

  - A Require

- [Boot Camp Website](#) (Hosted by Winnefox)

Seeing & Hearing Your Community

Presenter: Tessa Michaelson Schmidt, Youth and Inclusive Services Consultant, Division for Libraries & Technology, DPI

Alternate Program: For System Directors Only
Presenter: John Thompson, Director, IFLS

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Check Out/Break/Office Hours

Burning Q & A

Your last chance (at boot camp) to get that burning question answered... no holds barred!

Food for Thought

"It is not the job of the community to make a great library. It's the job of the library to make a great community."

~James LaRue, Director of the ALA Office for Intellectual Freedom; former public library administrator, academic librarian; author, newspaper columnist, blogger, speaker

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Wrap Up

- Overview

- How is everyone feeling? Overwhelmed? Good? Optimistic?

- What struck you as meaningful?

- Did anything surprise you?

- Did you make a great connection?