

**BYLAWS
MARION PUBLIC LIBRARY
BOARD OF TRUSTEES**

**Article I
Identification**

Section 1. The name of this Board is the "Board of Trustees of Marion Public Library," hereinafter referred to as "the Board". The Marion Public Library will be hereinafter referred to as "the Library".

Section 2: Geographical boundaries of the Library and taxed library district are the same as the boundaries of the City of Marion, Indiana.

**Article II
Authority and Purpose**

Section 1. The Board shall govern the Library, a municipal corporation and Class 1 library organized under the public library provisions, according to the purposes and authority set forth in IC336-12, as amended, and such other Indiana and federal laws as affect the operation of the Library.

Section 2. Members of the Board (Trustees) 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.

Section 3. Necessary travel and/or meal expenses of any Board member incurred in the interest and 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.

Section 4. The Board may engage legal counsel as needed for legal advice. The President of the Board of 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.

**Article III
Personnel**

Section 1. The library board shall select a librarian who holds a certificate under IC 36-12-11 to serve as the 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 the administrative head of the library, is responsible to the board for the operations and management of the library, per IC 36-12-2-24(a)

Section 2. The director shall have the power to write and enforce administrative regulations or procedures governing the Library which logistically stem from adopted and approved Board policies. Such regulations or procedures shall be consistent with the policies of the Board.

Section 3. The director shall be held responsible for the care of the building(s) and equipment, for the employment and direction of the staff, for the efficiency of the library's service to the public, for administration of the long-range plan and short term goals, and for the operation of the library and under the financial conditions in the annual budget.

Section 4. The director shall attend all library Board meetings, except those at which her/his appointment, salary, or performance is to be discussed or decided.

Article IV Conflicts of Interest

Section 1. Board members, in the capacity of trust imposed upon them, shall observe ethical standards with absolute truth, integrity and honor.

Section 2. Board members shall promote a high level of service while observing ethical standards.

Section 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. Board members will not use the library for personal advantage or the personal advantage of friends or relatives.

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

Article V Nepotism Policy

Section 1. In order to avoid creating or maintaining circumstances in which the appearance or possibility of favoritism, conflicts or management disruptions exist, it is the policy of Marion Public Library not to employ or consider for employment any immediate relative of the Library's Board of Trustees or any employee of the Library. Immediate relative is defined as spouse, domestic partner, child, parent, brother, sister, -in-law or stepfamily member (father, mother, brother, sister) grandparent or grandchild.

The Library will allow existing employment relationships to continue between current employees who are related, as long as the relationship does not adversely affect work productivity or performance,

create an actual or perceived conflict of interest, or involve a supervisor/subordinate relationship between family members.

This policy shall be considered when hiring, promoting, or transferring any employee. Employees who marry or become related by marriage while both employees are employed by the Library may seek approval from the Director for an exception to this policy. The Library reserves the right to exercise appropriate managerial judgement to take such actions as may be necessary to achieve the intent of this policy. The Library reserves the right to vary from the guidelines outlined in this policy to address unusual circumstances on a case by case basis.

**Article VI
Amendments**

Section 1. These bylaws may be amended at any regular meeting of the Board by majority vote of the members.

Section 2. Amendments shall be proposed one month in advance of voting and a copy provided to each Board member at least 15 days before the meeting.

Section 3. Amendments may be proposed by any member of the Board

Section 4. The amendments for each year shall be sent to the State Library upon submission of the annual report.

Article VII
Membership

Section 1. Members of the Board shall be appointed pursuant to IC36-12-2-9 and as follows:

Class 1 Library (town/city, township, multiple townships, county library)

Appointing Authority

Trustee 1 IC36-12-2-9(1)	County commission
Trustee 2 IC36-12-2-9(2)	County council
Trustee 3 IC36-12-2-9 (3)	School board
Trustee 4 IC36-12-2-9(4)	School board
Trustee 5 IC36-12-2-9(5)	School board
Trustee 6 IC36-12-2-9(6)	Mayor
Trustee 7 IC 36-12-2-9 (7)	City Council

Section 2. New board members shall be required to pass a criminal background check in accordance with the "Policies, Plans, and Regulations" established by the Marion Public Library. This includes any felony or misdemeanor involving dishonesty, such as theft, or other serious offenses as designated by

the Board in the policy. The Board shall adhere to these policies in ensuring compliance with this requirement.

Article VIII Officers

Section 1. Officers of the Board shall be a President, Vice President, Secretary and Treasurer, per IC 36-12-2-23.

Section 2. Officers shall be elected through verbal discussion and agreement during the December meeting, for a term of one year, in accordance with IC 36-12-2-23.

Section 3. Vacancies in office shall be filled by **ballot** at the next regular meeting of the Board after the vacancy occurs.

Section 4. Any officer may be removed by the Board at any regular or special meeting by a majority vote of the entire membership of the Board for one of the following reasons: a) persistent or unexplained absences from meetings; b) unwillingness or inability to carry out duties; c) A Board member shall be disqualified from serving if convicted of a felony or a misdemeanor involving dishonesty, such as theft or fraud, d) another serious offense as deemed by a board majority.

Section 5. The duties of the officers shall be such as by custom and law, including IC36-12-2-22 et seq. and the rules of this Board usually devolve upon such officers in accordance with their titles.

Section 6. The President shall preside at Board meetings, appoint committees deemed necessary, certify all bills allowed by the Board, sign, with the Board members present, the docket for the payment of the money, enforce the observance of these rules, and perform such other duties as pertain to the office of the President and are necessary to carry out the wishes of the Board.

Section 7. The Vice President shall perform the duties of the President in the absence of the latter.

Section 8. The responsibilities of the Board Secretary have evolved to meet the growing complexity of library operations. The traditional role has been adapted to better serve both the Board and the institution. The recording of official minutes during Board meetings is now handled by designated Library staff, with the Board Secretary overseeing the process to ensure accuracy, completeness, and proper maintenance. This change allows the Secretary to fully engage in Board discussions without the distraction of taking minutes. Routine correspondence on behalf of the Board may also be managed by clerical staff, with the Board Secretary supervising to ensure that all communications are handled appropriately and reflect the Board's intentions. Additionally, the Board Secretary is tasked with the safekeeping and maintenance of the Library's historical documents, ensuring they are preserved and accessible for future reference.

Section 9. In addition to the duties prescribed in IC 36-12-2-22, the Treasurer shall be responsible for overseeing the receipt and expenditure of funds, including the review of monthly financial reports and the annual report of receipts and expenditures. The Treasurer shall also sign warrants that have been approved by the Board.

**Article IX
Meetings**

Section 1. The Board shall meet monthly. The Board shall set the meeting days for the year at the first annual meeting. The December meeting shall be the annual meeting. per IC 36-12-2-23

Monthly meetings:

3rd Tuesday

5:30 p.m.

Programming Room, Marion Public Library

Section 2. The full Board and its officers constitute the Board of Finance and shall meet annually in January, after the first Monday and on or before the last day of January, to review finances and depositories, per IC 5-13-7-5 et seq.

Section 3. Regular, special, and executive session meetings will be publicized and conducted in accordance with the Open Door Law of Indiana (IC 5-14-1-5)

Section 4. Special meetings may be called by the President, or upon written request of two members for the transaction of business as stated in the call, per IC 36-12-2-23. Notice stating the time and place of any special meeting and the purpose for which called shall be given each member of the Board at least 48 hours in advance of such meeting and to the local media 48 hours in advance, excluding holidays and weekends, per IC 5-14-1-5-5.

Section 5. A quorum for the transaction of business shall consist of a simple majority, which is equal to 50% of the seats established by law plus one, regardless of any current vacancies on a library's board.

Section 6. Order of business shall be:

Call to Order	Reading and approval of the minutes
Reading and approval of financial report	Approval of bills
Report of the librarian	Committee reports
Communications	Unfinished business
New business	Public input (optional)
Adjournment	

Section 7. Robert's Rules of Order, latest revised edition, shall govern the parliamentary procedure of the Board

Article X Committees

Section 1. Standing committees will be appointed by the President, with the approval of the Board, at the first meeting following the annual meeting, and will serve for one year. They may include but are not limited to:

Buildings
Museum
Marketing

Section 2. Special committees for the study of special problems may be appointed by the President, with the approval of the Board, to serve until the final report of the work for which they were appointed has been filed at a regular Board meeting.

Section 3. No committee will have other than advisory powers unless, by suitable action of the Board, it is granted specific power to act. All committee reports and/or recommendations shall be submitted in writing upon request. Reports of committees shall be signed by at least two members thereof.

Section 4. Committees may have citizen members, as deemed appropriate for their purpose by the Board.

Article XI Indemnification of Board Members

Section 1. If any claim or action not covered by insurance or State Statute is instituted against a trustee, officer, employee, or volunteer of the Library arising out of an act of omission by trustee, officer, employee, or volunteer acting in good faith for a purpose considered to be in the best interest of the Library; or if any claim or action not covered by insurance or state Statute is instituted against a trustee, officer, employee, or volunteer allegedly arising out of an act or omission occurring within the scope of his/her duties as such a trustee, officer, employee or volunteer, the Library should at the request of the trustee, officer, employee, or volunteer.

- a) Appear and defend against the claim or action; and
- b) Pay or indemnify the trustee, officer, employee or volunteer for a judgment and court costs, based on such claim or action; and
- c) Pay or indemnify the trustee, officer, employee, or volunteer for a compromise or settlement of such claim or action, providing the settlement is approved by the Board of Trustees

The decision as to whether the Library shall retain its own attorney or reimburse the trustee, officer, or employee or volunteer expenses for their own legal counsel shall rest with the Board of Trustees and shall be determined by the nature of the claim or action.

The term trustee, officer, employee, or volunteer shall include any former trustee, officer, employee, or volunteer of the Library.

Article XII Policies, Plans, Rules, and Regulations

Section 1. In addition to operating in accordance with these Bylaws and the laws of the State of Indiana, the Board shall adopt policies, plans, rules and regulations to govern its operations, and may affirm policies, plans, rules and regulations proposed by the Library Director for the management and administration of the Library, as required by 590 IAC 6-1-4(c) and 590 IAC 6-1-4(h)

Section 2. All policies, long-range plans, Indiana Codes for Libraries shall be compiled and organized into a manual titled " The Policies and Procedures of the Marion Public Library."
Reviewed and re-adopted by Marion Public Board of Trustees November 20, 2012

Article XIII Review of Bylaws

Section 1. The bylaws will be reviewed annually. The secretary shall affix the date of the review to the bylaws for audit as well as indicating the action in the minutes.

Reviewed and re-adopted by Marion Board of Trustees November 20, 2012
Reviewed and re-adopted by Marion Board of Trustees November 19, 2013
Reviewed and re-adopted by Marion Board of Trustees December 16, 2014
Reviewed and re-adopted by Marion Board of Trustees December 15, 2015
Reviewed and re-adopted by Marion Board of Trustees December 20, 2016
Reviewed, revised, and re-adopted by Marion Board of Trustees Dec. 19, 2017
Reviewed, revised, and re-adopted by Marion Board of Trustees Dec. 18, 2018
Reviewed, revised, and re-adopted by Marion Board of Trustees Dec. 17, 2019
Reviewed, revised, and re-adopted by Marion Board of Trustees May 20, 2025

Appendix:

Libraries, IC 36-12: <https://iga.in.gov/laws/2024/ic/titles/36#36-12>

Compensation, IC 36-12-2-21: <https://iga.in.gov/laws/2024/ic/titles/36#36-12-2-21>

Sec. 21. A member of a library board shall serve without compensation. A board member may not serve as a paid employee of the public library, except the treasurer as provided in section 22 of this chapter.

Library Certification Board, IC 36-12-11: <https://iga.in.gov/laws/2024/ic/titles/36#36-12-11>

Selection of director, IC 36-12-2-24(a): <https://iga.in.gov/laws/2024/ic/titles/36#36-12-2-21>

Sec. 24. (a) The library board shall select a librarian who holds a certificate under IC 36-12-11 to serve as the 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 the administrative head of the library, is responsible to the board for the operation and management of the library.

Appointments to library board; membership, IC 36-12-2-9: <https://iga.in.gov/laws/2024/ic/titles/36#36-12-2-9>

Treasurer, IC-36-12-2-22: <https://iga.in.gov/laws/2024/ic/titles/36#36-12-2-22>

Library Board, IC-36-12-2-23: <https://iga.in.gov/laws/2024/ic/titles/36#36-12-2-23>

Boards of finance of other political subdivisions, IC 5-13-7-5:
<https://iga.in.gov/laws/2024/ic/titles/5#5-13-7-5>

Open Door Law, IC 5-14-1.5: <https://iga.in.gov/laws/2024/ic/titles/5#5-14-1.5>

Public Meetings, IC 5-14-1.5-5" <https://iga.in.gov/laws/2024/ic/titles/5#5-14-1.5-5>

590 IAC 6-1-4 Minimum standards for public libraries (Repealed) NOW590 IAC 6-1-5 Minimum standards for public libraries: <https://www.in.gov/library/files/590IAC6.pdf>

(e) The library board and director shall maintain their separate functions as follows:

(1) The board is responsible for governance and policy.

(2) The director is responsible for administration, operation, and management of the library.

(h) The library will provide an orientation to new library board trustees in cooperation with the Indiana state library and shall provide training materials to all library trustees and directors annually.