

Southwest Kansas Library System Bylaws

Article I - Name

The name of the regional system of cooperating libraries shall be called the Southwest Kansas Library System pursuant to K.S.A. 75-2549b. Throughout the statement of these bylaws the term "System" shall mean the Southwest Kansas Library System.

Article II - Authority and Purpose

The System is a non-profit educational organization created under the authority of K.S.A. 75-2547 et.seq. to enable the state of Kansas in cooperation with local libraries to provide adequate library service to all citizens of the area through a regional system of cooperating libraries.

Article III - Membership

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

Section 2. As defined by K.S.A. 75-2548, K.A.R. 54-1-18, and K.A.R. 54-1-19, membership shall be open to any school, community college, college, university, club, private, special, or public library in the manner authorized by state law and the regulations of the Kansas State Library Advisory Commission.

Section 3. As defined by K.A.R. 54-1-20 the System may contract for service with any library which is excluded from the regional system of cooperating libraries under K.S.A. 75-2549. These shall be called contracting libraries.

Section 4. The participating libraries of a county that levies the system tax, 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 System's annual budget subject to the procedures of the Kansas State Library Advisory Commission as stated in K.A.R. 54-1-12 through 54-1-15.

Section 5. A contracting library may withdraw from membership in the System by submitting written notification to the System's governing body one year prior to the adoption of the System's annual budget, subject to the procedures of the Kansas State Library Advisory Commission as stated in K.A.R. 54-1-12 through 54-1-15.

Article IV – Full System Board Governance

Section 1. The governing body of the System shall be the **Full System Board** and shall consist of one System Representative or Alternate appointed by the trustees or governing body of each participating library and, for each county levying the system tax, one representative appointed

by the Governor to represent territory not within the district of a participating library but within the taxing district of the System.

The Full System Board shall have the authority and powers set forth in K.S.A. 75-2550 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, and
- 5) contract with any other System Board.

The Full System Board shall have the authority to pass upon the policies and philosophy of operations of the System as set by the Executive Board, adopt the annual budget, approve the annual system plan for 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 restrictions imposed by law.

Section 2. Each library representative is eligible to serve on the Full System Board until a replacement is appointed by the officers of the participating library, college, or school district. The name of each member library's representative and alternate shall be communicated to the System Office by May 1 of each year. Governor's Appointees are eligible to serve until a replacement is appointed by the Governor.

Section 3. Representatives to the Full System Board shall be selected by each local public board/administrative body for yearly terms. A representative to the Full System Board need not be a member of the library board he or she is representing.

Article V. – Executive Board

Section 1. The **Executive Board** shall be comprised of one representative per county in which the regional system tax is levied and the governor appointee from those counties, and one representative per county in which one or more libraries contract for service. The representative is to be selected from each county's representatives from public, school, college, private, club, and special libraries.

Each June, the System Recording Secretary shall contact each of the current county System Representatives in the counties that levy a system tax, and to the contracting libraries as defined in Article IV, Section 3, and provide a list of each library in that county that needs to be contacted to select a System Representative and two alternates to the Executive Board. The change in representative terms shall take place on July 1 of each year. As specified in K.S.A. 75-2550a, the Executive Board shall be empowered to conduct the business and affairs of the Full System Board between regular or special meetings with the exception of officially adopting the budget, election of the Executive Committee, and amending the bylaws. The Executive Board shall be empowered to act on all other matters as stated in Article III, Section 1, including action on applications for System membership.

Section 2. The Full System Board officers shall serve as the Executive Board officers.

Article VI. - Executive Committee

Section 1. The System representatives to the Full System Board shall elect a Chairperson, First Vice Chairperson, Second Vice Chairperson, Treasurer, and Secretary. The duties of the officers are as follows:

- 1) The Chairperson presides over all meetings and, along with other members of the Executive Committee, appoints committees;
- 2) The First Vice Chairperson, 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 Chair.
- 3) Second Vice Chairperson, to act as Chairperson in absence of Chairperson and First Vice Chairperson;
- 4) The Treasurer is responsible for all financial reports of the System.
- 5) The Secretary shall read and approve accurate minutes of all proceedings of board meetings; and return them in a timely fashion for the Recording Secretary to distribute minutes for the next board meeting.
 - a) The Recording Secretary, as appointed by the Chairperson from the system staff, shall keep true and accurate minutes of all proceedings of board meetings; attaching a copy of any documents adopted by the Full Board or Executive Board; correct the minutes; and provide copies of the minutes on request. This position is not a voting position.

Each of the Executive Officers shall serve a term of one year. The positions of First Vice Chair and Second Vice Chair proceed in the line of succession -- Second Vice Chairperson moves into the First Vice Chairperson position and the First Vice Chairperson moves into the Chairperson position.

A candidate for any of the elected offices must have a minimum of three (3) years of experience in the SWKLS region and have a minimum of two (2) years committee work.

Section 2. The **Executive Committee** shall consist of the officers elected by the Full System Board. The System Director, the Recording Secretary and the immediate past Chairperson shall serve the committee in an advisory capacity.

Section 3. The Executive Committee shall meet at the call of the System Chairperson for the purpose of planning the activities of the System and to act in an advisory capacity to the Director of the System.

Section 4. The Executive Committee may consider and act on any emergency matter that requires attention prior to a Full System Board or Executive Board meeting. Any action taken by the Executive Committee must be ratified by either the Full System Board or the Executive Board.

Section 5. The **System Director** shall be the administrative officer for the System with responsibility for the state of library services within the System. The System Director shall serve as an ex-officio and non-voting member of the Full System Board, the Executive Board, and the Executive Committee and shall attend all meetings except the portion of those meetings in which the position appointment or salary is being discussed. The Director shall report to the Executive Committee on the operation of the System, shall employ and direct such employees as are provided for by the annual budget and as are necessary for the operation of the System, shall prepare agendas of meetings, issue ballots, call meetings, and poll committees.

Section 6. 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. If an officer resigns from office the Chairperson shall appoint an individual to finish out the current term of the vacated office.

Section 7. Removal from Office

- 1) Elected officers of the Executive Committee may be removed from office for just cause. A two-thirds majority vote of the Executive Committee is required to authorize a mail ballot to the Full System Board seeking removal of an officer(s). Officers being considered for removal cannot vote during removal procedures. An affirmative vote of a two-thirds majority of the votes returned removes an officer upon validation of election results.
- 2) Just cause is defined as any willful violation of the provisions of the System Bylaws, or violation of statutory law which tarnishes the reputation of the System, or failure to perform his/her duties and responsibilities of the office or fails to attend more than two consecutive meetings without justifiable cause.

Article VII. - Voting

Section 1. Full System Board meetings are open to all library trustees, librarians, and other interested persons, but only the Full System Board representative or the designated alternate from each participating library and the Governor's Appointees shall have one vote on the proceedings of the Full System Board.

Section 2. Each participating contracting county has one vote on the Executive Board. Each taxing county shall have two votes on the Executive Board. If the System Representative cannot attend an Executive Board meeting he/she shall be responsible for contacting the first or second alternates. If one of the three designated representatives cannot attend the meeting, a substitute can be named by the System Representative or Alternates. This change shall be communicated to the System Secretary prior to the meeting with hard copy authorization to follow. As the representatives of the taxed population, Governor's Appointees have full voting powers at all Full System Board and Executive Board meetings and on all issues.

Section 3. The Chairperson, the First Vice Chairperson, the Second Vice Chairperson, the Treasurer, and the Secretary are eligible to vote in matters of the Executive Committee.

Section 4. Twenty-five representatives of the Full System Board shall constitute a quorum in matters concerning the Full System Board. Fourteen representatives of the Executive Board

shall constitute a quorum in matters concerning the Executive Board. Three members of the Executive Committee shall constitute a quorum in matters concerning the Executive Committee.

Section 5. The Chairperson retains eligibility to vote as representative to the Full System Board, to the Executive Board, or as a Governor's Appointee.

Section 6. Vote by mail, e-mail, video conferencing, or web conferencing may take place under the provisions of Article VII, Sections 2, 3, 4, and 5.

Section 7. Nominations for election to the Executive Committee shall be solicited from the membership and submitted at the August meeting, pursuant to Article VI, Section 1, by the Nominating Committee.

Section 8. Ballots shall be prepared at least one week prior to the October meeting, identifying individuals nominated and leaving spaces for the names of individuals who may be nominated at the meeting as nominations shall also be requested from the floor at the October meeting.

Article VIII – Meetings

Section 1. Meetings of the Full System Board shall be held in April and October at a date, time, and place to be specified in advance at an Executive Board meeting. Adoption of the annual budget and approval of the annual plan of services shall take place at the April meeting. Election of officers shall take place at the October meeting. Amendments to the Bylaws may take place at either the April or October meetings, or a special meeting of the Full Board.

Section 2. Meetings of the Executive board shall be held at a date, time, and place to be specified in advance at an Executive Board meeting.

Section 3. Special meetings may be called by the Chairperson. Notification of special meetings of the Full System or Executive Board shall be by letter to designated System Representatives at least one week prior to the meeting and shall state the purpose, time, date, and place of the meeting.

Section 4. Official business of the System Boards may be conducted by the Executive Board by mail, e-mail, video conferencing, or web conferencing if deemed necessary by the Executive Committee. (See Article VII, Section 6)

Section 5. All Full System, Executive Board, and Executive Committee meetings are subject to the Kansas Open Meetings Act (KOMA), K.S.A. 75-4317 et. seq.

Section 6. All meetings and business shall be conducted according to the most recent edition of Standard Code of Parliamentary Procedure when such are not in conflict with these bylaws or library law in the State of Kansas.

Section 7. Any person wishing to present a matter of concern to the board may do so by presenting the request in writing to the Director at least one week prior to the next regular meeting. The board, by majority vote, may allow a visitor to be heard without the written request. The time allotment for presentation of a matter of concern by any citizen shall not exceed fifteen (15) minutes unless otherwise approved by a majority of the board. If a group

wishes to make a presentation to the board, the time allotment shall not exceed thirty (30) minutes unless otherwise approved by a majority of the board. The group shall have to identify a spokes person(s) not to exceed six people to speak within the thirty minutes.

Section 8. Voting procedures, within the Executive and Full Board meetings, shall be flexible and determined by the current Chairperson at that given moment (i.e. ballot, raising of hands, etc.). Actions shall be deemed carried by a majority vote.

Article IX - Standing Committees

Section 1. Committees shall be appointed by the Executive Committee for yearly terms in the month following the election of officers.

Section 2. Standing committees shall include:

- 1) The Budget Committee, a committee of eleven members, shall be made up of five taxing county members and five contracting county members and one governor's appointee. The committee members shall be representatives and trustees from all types of libraries. It shall be the duty of this committee to assist the Director in financial evaluations and recommendations of a budget to the Full System and Executive Boards. The Budget Committee may submit supplemental budget recommendations for the current or following budget years. The System Director shall serve as an ex-officio member of the Budget Committee and shall coordinate meetings, hearings, and correspondence of the committee.
- 2) The Policy and Bylaws Committee shall be composed of three to six member library representatives and trustees including all types of library interest areas. It shall annually review policies and by-laws for amendment and adoption by the Full System Board.
- 3) Library Development Program Committee shall be composed of six to ten member library representatives and trustees that include public library interests. It shall annually review criteria for Library Development Program accreditation standards for adoption by either the Full System or Executive Board by October of each year so the criteria are in place before a new calendar year.
- 4) Nominating Committee shall be composed of three to four member library representatives and trustees including all types of library interest areas. It shall annually select a slate of candidates for office to be submitted at the August meeting.
- 5) Planning/Services Committee shall be composed of six to ten member library representatives and trustees from all types of libraries. It shall be the duty of this committee to assist the Director in program evaluations and recommendations of new programs to the Budget Committee.

Section 3. Special committees shall be appointed by the Executive Committee as necessary.

Article X - Funding

Section 1. As authorized in K.S.A. 75-2547, System funds taxed in each county shall be used by the System to 1) pay for the joint services budget and 2) assist member libraries to extend

service to all persons in the regional system.

Section 2. Contracting library members, as defined in Article III, Section 3, shall pay for services based upon fees established by the Full System Board.

Section 3. Since a change in services contracted for by Contracting Libraries may impact the System Budget, notification of such change should be communicated to the System Director and Chairperson one (1) year prior to the adoption of the System annual budget.

Article XI - Property

Section 1. Materials and equipment purchased through an allocation program or distributed as part of a System benefit and not intended for use primarily as a part of a particular System service operation shall remain the possession of the local library should the library withdraw from the System. Property of a System-service nature which is designated on the System inventory and not purchased with funds allocated to an individual library, but placed in a local library for system service shall be so designated, recorded, and marked at the time of placement in the local library and subject to K.A.R. 54-1-15 should the library withdraw from the System.

Section 2. Materials and equipment purchased for use by a local library through an allocation program and not intended primarily as a system service operation becomes the responsibility of the local library for repair and maintenance.

Article XII - Reimbursement

Section 1. Representatives to the Full System Board shall be reimbursed for mileage to the Spring and Fall Full System Board Assemblies, and the Executive Board representatives shall be reimbursed for mileage to the Executive Board meetings.

Section 2. System Board members attending library functions as designated representatives of the System may be reimbursed for actual expenses as funds are available.

Section 3. Governor's Appointees shall be reimbursed by the System for actual expenses in attending designated System functions.

Article XIII - Amendments

Amendments to these bylaws require approval by the Full System Board and are subject to approval of the Kansas State Library Advisory Commission. Proposed amendments to the bylaws shall be presented to the Executive Board no less than one month prior to the meeting at which the amendments are to be brought before the Full System Board. Proposed amendments, specifying changes, must be mailed to Full System Representatives no less than one week prior to the Full System Board meetings (Fall and Spring Assembly) or special Full Board meetings.