

20 August 2018

TO: RAILS Board of Directors

FROM: Deirdre Brennan

SUBJECT: Revised Fiscal Accountability Policy

The Policy Committee met on August 8 to review the Fiscal Accountability Policy and make recommendations for changes. The revised policy is in the packet.

Recommended changes are:

- Increase threshold for requirement to obtain three competitive quotes from \$20,000 to \$25,000 per changes in state law
- Remove portion of policy related to donations to Talking Book and Braille Services because RAILS no longer provides this service
- Added wording regarding donations per discussion at July board meeting

Reaching Across Illinois Library System (RAILS)

Fiscal Accountability Policy

Revision Control

- Fiscal Accountability Policy - Original Ratified by RAILS Board July 1, 2011
- Fiscal Accountability Policy – APPROVED by RAILS Board December 19, 2011
- Fiscal Accountability Policy – APPROVED by RAILS Board January 25, 2013
- Fiscal Accountability Policy – APPROVED by RAILS Board September 27, 2013
- Fiscal Accountability Policy – APPROVED by RAILS Board February 26, 2016
- Fiscal Accountability Policy – APPROVED by RAILS Board May 27, 2016

I. Purpose

The purpose of the Reaching Across Illinois Library System (RAILS) Fiscal Accountability Policy is to provide a framework for the fiscal operations of the System, to assure sound fiscal management and to outline responsibilities for management of the System's public funds.

II. Scope of Policy

This Fiscal Accountability Policy applies to the financial and investment activities of all funds under the direction of RAILS. This Fiscal Accountability Policy will also apply to any new funds or temporary funds placed under the direction of RAILS. In the event that this Policy is inconsistent with the Illinois Compiled Statutes or the Illinois Administrative Regulations, the statutes and regulations shall take precedent.

III. General

- A. RAILS financial policies and procedures will be in accordance with the requirements and intents as outlined in Illinois law, rule and regulation.
- B. At a minimum RAILS will obtain a treasurer's bond equal to 50% of RAILS' area and per capita grant for the previous year. As an alternative to a treasurer's bond, RAILS may require the treasurer to secure for the system an insurance policy or other insurance instrument that provides the system with coverage for negligent or intentional acts by system officials and employees that could result in the loss of system funds. Additional members of the RAILS Board and RAILS staff may be bonded as required by the RAILS Board.
- C. All members of the RAILS Board and all employees of RAILS shall be bonded with a dishonesty bond of at least \$100,000 and insured against lawsuit, as per the errors and omissions liability insurance carried by RAILS.
- D. The current and past seven years' financial records of RAILS shall be maintained and kept at RAILS headquarters, except in cases when the temporary removal of such records is required by law or by auditing procedures. RAILS will maintain records at least as long as and in accordance with conditions required by the Local Records Act (50 ILCS 205). Older records may be stored in offsite

storage.

- E. Maintain an inventory of all equipment purchased as required by State Administrative Rule 23 IL ADC 3030.26.
- F. Roll call action will be taken by the RAILS Board on all financial matters. Directors with economic conflicts of interest shall abstain from voting, in accordance with the Public Officer Prohibited Activities Act (50 ILCS 105) or any other applicable state statute, rule or regulation.
- G. The total budget by fund will be approved by the RAILS Board.

IV. Deposits

- A. All income received at RAILS will be deposited to appropriate accounts at least monthly or whenever the amount of receipts totals more than \$500, in accordance with appropriate internal control procedures involving two or more individuals.
- B. Deposits in any one institution may not exceed the FDIC insured amount unless they are adequately collateralized or secured by an irrevocable Letter of Credit pursuant to Regulations of the Federal Reserve and authorized by the Illinois Public Funds Investment Act provisions regarding custody and safekeeping of collateral.

V. Expenditures and Other Financial Transactions

- A. Authorized signatories are by title the RAILS Board President, Vice-President, Secretary, Treasurer, RAILS Executive Director and RAILS Associate Executive Director.
- B. Financial transactions for expenses up to a \$10,000 limit require one signature. Financial transactions over \$10,000 require two signatures, one of which must be by one of the above Board Member signatories. All financial transactions will be reported to the RAILS Board at its regularly scheduled meeting. Personnel-related items will be paid in accordance with RAILS payroll schedule or monthly depending on payment schedule. A payment cycle of no more than once a week will be used for all other financial transactions.
- C. Members of the RAILS Board, the RAILS Executive Director, and all RAILS employees who have direct supervisory authority over or direct responsibility for contracts entered into by RAILS in the amount of \$1,000 or greater shall be required to file statements of economic interest with the appropriate county clerk or state authorities. RAILS will provide to the Illinois State Library, as part of its annual application, a copy of all RAILS Board of Directors members and staff filed Statement of Economic Interests.

VI. Investments

- A. The objective is to invest all funds under RAILS' control in a manner which will provide the highest investment return using authorized instruments (see Section E.1.c), while meeting the System's daily cash flow demands and in conformance with the Illinois Public Funds Investment Act (30 ILCS 235/2.5).

- B. The RAILS Executive Director is responsible for recommending to the RAILS Board financial institutions (e.g., Illinois Funds, banks, savings and loan, credit unions and other non-banks) that will be the depositories for RAILS. The RAILS Board will select financial institutions and will annually review the selection of depositories. Any financial institution, upon meeting the requirements of the Illinois Compiled Statutes and of this policy, may request to become a depository for RAILS funds. RAILS will take into consideration security, size, location, financial condition, service, fees, competitiveness, and the community relations involvement of the financial institution when choosing depositories. The RAILS Executive Director or Associate Executive Director and one board officer may authorize investment of funds in such institutions as approved by the RAILS Board. Authorized investment transactions shall be executed by Finance Department personnel with appropriate internal control procedures involving two or more individuals. RAILS funds not currently needed for operating expenses shall be invested as permitted by law.
- C. Management and administrative responsibility for the investment program is hereby delegated to the RAILS Executive Director. The RAILS Executive Director is responsible for establishing internal controls and written operational procedures designed to prevent loss, theft or misuse of funds.
- D. All RAILS investment activities shall use a “prudent person” standard of care. This standard shall be applied in the context of managing an overall portfolio and specifies that investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital, as well as the probable income to be derived. Investment officers, acting in accordance with this Policy and the written procedures of RAILS, and exercising due diligence, shall be relieved of personal responsibility for a security’s credit risk of market price/value changes, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.
- E. The following guidelines will be used to meet the general investment objectives:
1. Legality and Safety:
 - a. Safety of principal is the foremost objective of the investment program. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio.
 - b. Investments will be made only in securities guaranteed by the U.S. government, or in FDIC-insured institutions including Savings Association Insurance Fund (SAIF) or the FDIC. Deposit accounts in banks or savings and loan institutions will not exceed the amount insured by FDIC coverage unless adequately collateralized or secured by an irrevocable Letter of Credit pursuant to Regulations of the Federal Reserve and authorized by the Illinois Public Funds Investment Act provisions regarding custody and safekeeping of collateral.
 - c. Authorized investments include and will primarily consist of Certificates of Deposit, Treasury Bills and other securities guaranteed by the U.S. Government, participation in Illinois Funds, and any other investments allowed under State law that satisfy the investment objectives of the System.
 2. Liquidity: in general, investments should be managed to meet liquidity needs for the current month plus one month (based on forecast needs) and any reasonably anticipated special needs.
 3. Credit risk: RAILS will minimize credit risk, the risk of loss due to the failure of the security issuer or backer, by prequalifying the financial institutions, broker/dealers, intermediaries,

and advisors with which RAILS will do business, and by diversifying the portfolio so that potential losses on individual securities will be minimized.

4. Interest-rate risk: RAILS will minimize the risk that the market value of securities in the portfolio will fall due to changes in general interest rates, by structuring the investment portfolio so that securities mature to meet cash requirements for ongoing operations, thereby avoiding the need to sell securities on the open market prior to maturity, and investing operating funds primarily in shorter-term securities.
 5. Yield: within the constraints on Illinois law, considerations of safety, and this investment policy, every effort should be made to maximize return on investments made. All available funds will be placed in investments or kept in interest bearing deposit accounts unless restricted from earning interest.
 6. Simplicity of management: the time required by RAILS administrative staff to manage investments shall be kept at a minimum.
- F. Reporting: investments and the status of such accounts will be reported at each regularly scheduled meeting of the RAILS Board and include interest earned as of the report date.
- G. Ethics and Conflicts of Interest: authorized investment officers of RAILS and employees in policy-making positions shall refrain from personal business activity that could conflict, or give the appearance of a conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions. Such individuals shall disclose to RAILS any material financial interests in financial institutions which conduct business with RAILS, and they shall further disclose any personal financial investment positions that could be related to the performance of the investment portfolio. In addition, such individuals shall subordinate their personal investment transactions to those of the investment portfolio, particularly with regard to the time of purchases and sales. No RAILS Board of Directors member or the Executive Director, no person acting as Treasurer for or financial officer for RAILS, or who is employed in any similar capacity by or for RAILS, may do any of the following:
1. Have any interest, directly or indirectly, in any investments in which RAILS is invested.
 2. Have any interest, directly or indirectly, in the sellers, sponsors, or managers of those investments.
 3. Receive, in any manner, compensation of any kind from any investments in which RAILS is authorized to invest.

VII. Grant Contracts

- A. The RAILS Executive Director is authorized to sign contracts for receipt of funds for grants that have been awarded by the Illinois State Library or for other grant sources that have been authorized by the RAILS Board.
- B. Occasionally RAILS may be granted funds upon which no interest may be earned due to Federal government regulation. In such a case, the RAILS Executive Director is authorized to establish an additional account for grant funds at a financial institution with which RAILS has a working relationship.

VIII. Borrowing Funds

- A. For the purpose of meeting temporary cash shortages, the RAILS Board President, Vice-President, Secretary, Treasurer, and the RAILS Executive Director may, with signatures of two of the above-named positions, borrow sums of money in amounts not to exceed the total of the last three payroll periods and one month's average of RAILS expenditures, based on the previous twelve month expenditures.
- B. The RAILS Board may authorize further borrowing of funds including a line of credit¹ to meet additional temporary shortages for the operation of RAILS, as well as for long-term building, repair, maintenance, or lease/purchase purposes.

IX. Purchasing/Sale of Goods and Services

- A. All purchases for goods and services for RAILS shall be authorized by the RAILS Executive Director through established procedures. RAILS may utilize educational and special discounts, which benefit RAILS.
- B. Purchases of ~~\$20,000~~\$25,000 or More
 1. All contracts for supplies, materials or work involving an expenditure of ~~\$20,000~~\$25,000 or more, other than professional services, shall be awarded to the lowest responsible bidder after due advertisement at least once in a newspaper or newspapers of general circulation within the area of the system not less than 14 days before the bid date.
 2. All competitive bids for contracts involving an expenditure of ~~\$20,000~~\$25,000 or more must be sealed by the bidder and must be opened by a board member or employee of the system at a public bid opening at which the contents of the bids must be announced. Each bidder must receive at least three days' notice of the time and place of the bid opening.
 3. The RAILS Board of Directors may reject any and all bids and re-advertise. The system shall not be required to accept a bid that does not meet the system's established terms of delivery, quality and serviceability requirements.
 4. In case of an emergency when the emergency expenditure is approved by a majority of the RAILS Board, a contract can be let without advertising for bids. When possible, emergency purchases shall be made on the basis of three informal competitive quotations.
 5. In the event purchases are made through a joint purchasing program of the State of Illinois, or other intergovernmental cooperative purchasing activity, which activity awards it purchases on the basis of competitive bids in accordance with the Governmental Joint Purchasing Act (30 ILCS 525), the requirements above are waived.
 6. Competitive bidding is not required in the following cases: salaries and wages of employees; library materials; purchases and contracts for the use, purchase, delivery, movement or installation of automation equipment, software or services and telecommunications equipment software and services; contracts for utility services such as water, light and heat; where services are required for legal counsel, professional engineering and architectural services, provided that procurement of such engineering or architectural services complies with the Local Government Professional Services Selection Act (50 ILCS 510); for artistic skills or for professional services pursuant to a written contract; and maintenance or service contracts for equipment or software

¹ A line of credit is a pre-established amount of credit extended to a borrower by a lender that the borrower can draw against as needed.

where the work will best be performed by the manufacturer or installer, or by the authorized agent for the manufacturer or installer.

- C. Purchases of More than \$5,000 but Less than ~~\$20,000~~25,000
 - 1. Any purchase by RAILS for services, materials, equipment or supplies, other than professional services, with a value greater than \$5,000 but less than ~~\$20,000~~25,000 shall be made, whenever feasible, on the basis of three or more competitive quotations.
 - 2. RAILS will dispose of any real or personal property in accordance with the Illinois Library System Act (75 ILCS 10/16).
- D. Credit Cards/Accounts
 - 1. RAILS will maintain credit card accounts for the purchase of gasoline and emergency automobile supplies and repairs for RAILS vehicles.
 - 2. RAILS may maintain credit accounts with office supply, catering, department stores, and other services to meet needs of RAILS, with authorization of the RAILS Executive Director.
 - 3. RAILS may maintain credit card accounts for use by RAILS staff in conducting RAILS business. Such business will include the travel of RAILS staff and related expenses and must be documented with receipts to support all purchases.

X. Board of Directors

- A. The members of the RAILS Board shall serve without compensation but their actual and necessary expenses shall be covered in accordance with the RAILS Travel Reimbursement Policy for the Board of Directors.

XI. Travel

- A. It is the policy of RAILS to reimburse full and part-time employees and RAILS Board of Directors members for reasonable authorized expenses incurred by them in the performance of their duties.
- B. The RAILS Board of Directors shall develop a policy for the control of travel sufficient to prevent obligation of funds exceeding budget limitations and to hold travel to the minimum required for the efficient and economical conduct of the system's business. The procedure for the control of travel established by the board shall include a description of the system's travel approval procedure, allowable transportation expenses, non-reimbursable expenses, and rates of reimbursement for mileage, including automobile, air and train; per diem/meals; and lodging. Mileage for automobile travel shall be reimbursed at a rate no greater than the allowance rate in effect under regulations promulgated pursuant to 5 U.S.C. 5707 (b)(2). Rates for the reimbursement for expenses other than mileage shall not exceed the actual cost of travel as determined by the U. S. General Services Administration. Expense reports must be supported by original receipts that document allowable travel expenditures.
- C. The RAILS Board of Directors will at least biennially review and revise travel reimbursement rates to reflect, as accurately as possible, the actual amounts necessary to reimburse employees. Examples of non-reimbursable expenses that shall be included in the Travel Control Policy include: alcoholic beverages; coat check; entertainment; meals for other system employees or board members or late checkout and room guarantee charges (unless special circumstances exist and Executive Director

approval is obtained); parking tickets or other traffic tickets and charges associated with locksmith services; and transportation to procure meals, except under circumstances when such transportation is allowed by the Travel Control Policy.

- D. Whenever possible and cost efficient, RAILS business travel arrangements will use governmental entity discount rates.

XII. Payments

- A. Member libraries are responsible for prompt payment of any financial obligations incurred as part of shared-cost programs such as shared automation costs, educational events, cooperative programs, and other obligations. Other organizations outside of RAILS will be held to the same standard.
- B. Payments for invoices are due within thirty days from the statement date. After thirty days, invoices are considered overdue. RAILS staff is primarily responsible for collecting overdue invoices.
- C. Overdue invoices will be considered delinquent after 90 days from the statement date on which the obligation was first billed. A finance charge may be assessed.
- D. Reasonable costs incurred in collecting delinquent invoices may also be charged. Such costs include, but are not limited to, the following: (1) the cost of preparing and mailing demand letters, (2) legal expenses incurred, and (3) collection agency expenses incurred. These costs may also be subject to the same finance charge assessed on delinquent invoices.
- E. Delinquent invoices will be considered in arrears after 120 days from the statement date. Alternatives such as service restriction, third party action, and membership termination may be pursued if an invoice is considered to be in arrears. Service restriction would be the cessation of services enjoyed by RAILS members such as, but not limited to, delivery services and automation privileges. Third party action could include, but not be limited to, the use of an outside service such as an attorney or collection agency to collect invoices in arrears. If service restrictions are imposed, the service restrictions will be targeted to the extent possible to the service billed on the delinquent invoice.
- F. A member library may request a deferred payment plan if it is unable to meet its current financial obligations to RAILS. A deferred payment plan request must be submitted in writing for approval. Any deferred payment plan entered into will be for the purpose of assuring that the best interests of RAILS are served. RAILS does not have any obligation to accept deferred payments or partial payments on account. Failure of the member library to comply with an approved payment schedule will give RAILS the right to immediately continue the collection process without further notice to the member library.

XIII. Donations

- A. Donations of money, securities, real property, library books or other materials, equipment, or services to RAILS may be accepted when such a gift or its acceptance:
 1. Contributes to the achievement of the RAILS' Long Range Plan.
 2. Does not conflict with RAILS policies.

3. Does not impose any restriction on RAILS as a condition of the donation, unless such restriction is formally accepted by RAILS Board action.
4. Is not likely to be perceived as an endorsement of an individual, a product, or a service.
5. ~~May be used or disposed of at the discretion of RAILS, unless otherwise mutually agreed to by the donor and the RAILS Board at the time of the donation. Any disposals will be disposed of in accordance with the Illinois Library System Act (75 ILCS 10/16).~~
- 5-6. ~~Determined not to be in the best interest of the system.~~

- B. Donation made or intended to be used to support regular RAILS operations funded in whole or in part by the System Area and Per Capita Grant funds shall be reported to and approved by the Illinois State Library before such donations may be accepted or expended.
- C. Donations made in accordance with these guidelines may be accepted by the RAILS Executive Director. All donations of significance will be appropriately acknowledged and recognized by the RAILS Board.
- D. Unless otherwise provided, arrangements for and the cost of an appraisal of a donation in the interest of a donor will be the donor's responsibility prior to the conveyance of the donation to RAILS.
- ~~E. The RAILS Talking Book Centers accept financial donations. These donations will be used for the support and improvement of the operation, services, and programs of the talking book centers.~~
- ~~F.~~
- ~~G. These funds may be used to:~~
- ~~H. Purchase library materials, equipment, technology resources or supplies that support and improve the talking book centers' ability to carry out their service missions and goals.~~
- ~~I. Support the talking book centers' public education activities, outreach, special programming, and volunteer activities/recognition.~~
- ~~J.~~
- ~~K. Donated books, equipment, or other materials may be incorporated into the centers' collections. If either center does not want the donated item, it may be offered to other Illinois talking book centers or the Illinois State Library before disposal. If none of the centers want the items, they will be disposed of in accordance with the Illinois Library System Act (75 ILCS 10/16).~~
- ~~L.~~
- ~~M. The RAILS Talking Book Centers reserve the right to decline contributions that do not support the purpose or mission of the organizations.~~

XIV. Budget

- A. RAILS fiscal year shall be July 1 through June 30.
- B. The Annual Budget and Work Plan of the System will be prepared by the RAILS Executive Director and staff and recommended to the RAILS Board. From time to time, the RAILS Board may appoint a committee to work with the RAILS Executive Director for the purpose of developing the budget and plan of service.

XV. Audit

- A. An outside audit of all RAILS and grant accounts will be conducted annually. The audit report shall be reviewed and discussed at a RAILS' board meeting with the auditor.
- B. The RAILS Executive Director will, at least every 5 years, solicit bids from at least three auditing firms based on recommendations of Board Members and administrative staff.
- C. Audits of RAILS and grant funds will be submitted to the Illinois State Library in accordance with Illinois Library System Act, grant guidelines, and applicable financial reporting requirements in accordance with generally accepted accounting principles.

20 August 2018

TO: RAILS Board of Directors

FROM: Deirdre Brennan

SUBJECT: Policy on Meetings via Electronic means

The use of electronic conferencing for RAILS board and committee meetings is a convenient and necessary means of communicating and securing quorums for meetings. The Policy on Meetings via Electronic means was approved by the RAILS board shortly after the merger at the July 1, 2011 meeting.

Recommended changes presented to policy committee:

The problem of ambient noise related to board and committee members attending meetings via electronic conferencing has been a repeated distraction from conducting professional and uninterrupted meetings. Our attorney, Julie Tappendorf, reviewed the policy and her notes are designated in green text (version 1-presented to Policy committee). We have incorporated her suggestions in the policy version recommended for board approval.

Changes suggested by the policy committee:

Resolution format: the committee agreed that the resolution format was too formal and unnecessary and changed the policy to match the format of other RAILS policies. Staff made some other changes for flow and consistency.

Final version recommendation for Board approval

Incorporates the changes recommended by our attorney and the changes discussed by the policy committee.

Version presented to policy committee 8/8/18

Reaching Across Illinois Library System (RAILS)

POLICY ON MEETINGS via ELECTRONIC MEANS

Resolution Regarding Meetings and Conferencing via Electronic Means

Whereas, the Reaching Across Illinois Library System (RAILS) board believes it is in the best interest of its members, and patrons that the fullest participation and attendance in all meetings be achieved whenever possible; and

Whereas, the use of electronic conferencing for meeting attendance and voting requirements, at least in some governmental meetings, is permissible so long as the meeting is conducted in accordance with the Open Meetings Act; and

Whereas, the Open Meetings Act has been amended to allow attendance at public body meetings through audio conference, video conference, or by any other electronic conferencing without physical attendance; and

Whereas, the Open Meetings Act has been amended to allow library systems with jurisdiction over specific geographic area of more than 4,500 square miles [5 ILCS 120/7(d)], such as the parties here, to permit members to attend meetings by other means than physical presence so long as they adopt specific procedural rules therefore; and

Whereas, the RAILS board in all of its regular, special, and committee meetings complies and intends to comply with the provisions of the Open Meetings Act.

Now, THEREFORE, BE IT RESOLVED, that the RAILS board, having considered the aforesaid matters hereby adopts this policy, to be used when needed, to make use of the capabilities for conferencing by electronic means or any other type of conferencing for its meetings *or* any of the RAILS board's committee meetings as more specifically set out in this Resolution, and to adopt, establish, and set forth these Rules of the RAILS board applicable thereto:

1. All pertinent provisions of the Open Meetings Act must be complied with, including specifically the proper notice of any regular or special meeting, the proper record keeping or minutes of each meeting, the appropriate agenda preparation for each meeting, which in addition shall be posted along with the notice of the meeting; and, in particular, any use of closed sessions shall be in compliance with the provisions of the Act.

2. That sufficient security and identification procedures be employed, either at the outset of any meeting or at any time during the meeting as appropriate, to ensure that any and all members attending for discussion or voting purposes are in fact authorized members with the right to speak and vote.

3. Pursuant to the Open Meetings Act, the requirement in 5 ILCS 120/7(a) that a quorum of members of the board MUST be physically present at the location of the meeting shall NOT apply because 5 ILCS 120/7(d) of the Act specifically excepts library systems of the specified size from such requirements, and authorizes them to permit attendance by other means in accordance with procedural rules such as those contained herein. Specifically, RAILS board members or, in the case of RAILS board committee members may attend by video and/or audio conferencing or by other electronic means for quorum and voting purposes in accordance with these provisions.

4. All RAILS board members or committee members attending meetings by electronic conferencing shall be entitled to vote as if they were personally and physically present at the meeting site so long as a quorum is, in total, present and accounted for, but their votes shall be recorded by the Secretary as done by electronic attendance.

5. A board member or committee member who attends a meeting by video or audio conference must provide notice to the recording secretary at least 24 hours prior to the meeting unless such advance notice is impracticable.

6. A member may attend an RAILS board meeting or committee meeting through electronic conferencing if, in the opinion of the member, his or her physical presence at the meeting is unable to be obtained or is inconvenient for any reason including, but not limited to reasons such as personal schedule or time conflicts, length of required travel time, the high cost of such travel, or vehicle, fuel or time involved.

~~7. As soon as it becomes apparent to the secretary that a meeting will include electronic conferencing, all subsequent notices of the meeting shall indicate that one or more members will or may be attending by electronic means. In the event that the notice of the meeting has already been disseminated and posted, a follow-up notice indicating the above shall be placed as soon as possible. In the event any news media have filed the annual request for notice of meetings, they shall receive an updated notice in the same manner as given to all members of the RAILS Board. Availability of participation in RAILS board or committee meetings shall be indicated on the agenda and posted according to the Open Meetings Act.~~

8. The meeting minutes shall include, but need not be limited to; i) the date, time and place of the meeting; ii) the members who were either present or absent from the meeting and whether those members in attendance were physically present or present by audio conference, video conference or by other electronic means; and iii) a summary of discussion on all matters proposed, deliberated, or decided, and iv) a record of any votes taken.

9. The location of the meeting included on the notice shall be equipped with a suitable transmission system (e.g. a speakerphone) in order that the public audience, the members in attendance and any staff in attendance will be able to hear any input, vote or discussion of the conference and that the member attending by electronic means shall have a similar capability of hearing and participating in such input, vote or discussion.

~~10. As the At the beginning of RAILS board and committee meetings begins each new matter of business, and as necessary during the meeting, the chair will check with all remote location(s) with RAILS board or committee member(s) present to ensure that each such connection is active, and not muted.~~

Attorney note: It is good practice for the chair to make sure that each member participating remotely is actually “online” – i.e., the connection is active. However, there is no requirement that each member be “not muted.”

~~11. The chair will is responsible to call on all remote location board and committee members throughout the meeting to encourage full participation and discussion. When a motion is made, and seconded, and discussion regarding the motion begins, the chair will check that the connection with remote location(s) with RAILS Board member(s) is active and not muted.~~ Attorney note: Again, it’s good practice to make sure each member’s connection is active before discussion. It isn’t required that their lines be “not muted” although in practice, the discussion time period would be a good time to remind members to unmute if they want to participate in discussion. ~~Prior to~~

~~closing discussion and taking any vote, the chair will ask all remote location(s) with RAILS bBoard member(s) present whether there are any additional comments, questions, or information to be added to the discussion.~~

12. All decisions will be made using majority rule except when a higher vote is required. ~~There will be no sidebar discussions among board members at any time. There will be no muting of any connections with remote location(s) with RAILS Board member(s) at any time.~~

Attorney note: This is unnecessary from a legal standpoint – it's a policy issue for the board. In my experience, most public bodies ask their remote members to mute their phones until there is discussion or a vote to avoid interference (dogs barking, kids, traffic, etc). So, this sentence could be eliminated if the RAILS board wanted to get rid of this policy.

~~13. No later than 48 hours before a scheduled meeting of the RAILS Board or any of its subcommittees, each system will advise the Open Meetings Act designee regarding all of the documents that have been posted for any such meeting, and any and all locations where the documents have been posted.~~

~~14. The procedures outlined above shall also apply to each RAILS bBoard subcommitteecommittee and each subcommitteecommittee member.~~

PASSED BY REACHING ACROSS ILLINOIS LIBRARY SYSTEM (RAILS) BOARD
ON JULY 1, 2011.

ATTEST:

~~William N. Coffee~~Susan Busenbark
Secretary

Changes per 8/8/18 committee meeting

Reaching Across Illinois Library System (RAILS) POLICY ON MEETINGS via ELECTRONIC MEANS

Revision Control

- Originally Approved by the Merger Transition Board on April 6, 2011
- RAILS Board Approved July 1, 2011

Resolution Regarding Meetings and Conferencing via Electronic Means

~~Whereas, T~~he Reaching Across Illinois Library System (RAILS) board believes it is in the best interest of its members, and Illinois residents patrons that the fullest participation and attendance in all meetings be achieved whenever possible; ~~and~~

The RAILS board in all of its regular, special, and committee meetings complies and intends to comply with the provisions of the Open Meetings Act.

~~Whereas, the use of electronic conferencing for meeting attendance and voting requirements, at least in some governmental meetings, is permissible so long as the meeting is conducted in accordance with the Open Meetings Act; and~~

~~Whereas, T~~he Open Meetings Act ~~has been amended to allow~~s attendance at public body meetings through audio conference, video conference, or by any other electronic conferencing without physical attendance; ~~and~~

~~Whereas, the Open Meetings Act has been amended to also allow~~s library systems with jurisdiction over specific geographic area of more than 4,500 square miles [5 ILCS 120/7(d)], such as ~~the parties here~~ RAILS, to permit board and committee members to attend meetings by other means than physical presence so long as they adopt specific procedural rules. ~~therefore; and~~

~~Whereas, the RAILS board in all of its regular, special, and committee meetings complies and intends to comply with the provisions of the Open Meetings Act.~~

~~Now, THEREFORE, BE IT RESOLVED, that the RAILS board, having considered the aforesaid matters hereby adopts this policy, to be used when needed, to make use of the capabilities for conferencing by electronic means or any other type of conferencing for its meetings or any of the RAILS board's committee meetings as more specifically set out in this Resolution, and to adopt, establish, and set forth these Rules of the RAILS board applicable thereto:~~

1. All pertinent provisions of the Open Meetings Act must be complied with, including specifically the proper notice of any regular or special meeting, the proper record keeping or minutes of each meeting, the appropriate agenda preparation and posting for each meeting, ~~which in addition shall be posted along with the notice of the meeting; and~~, in particular, any use of closed sessions shall be in compliance with the provisions of the Act.

~~2. That sufficient security and identification procedures be employed, either at the outset of any meeting or at any time during the meeting as appropriate, to ensure that any and all members attending for discussion or voting purposes are in fact authorized members with the right to speak and vote.~~

~~B.3. Pursuant to the Open Meetings Act, the requirement in 5 ILCS 120/7(a) that a quorum of members of the board MUST be physically present at the location of the meeting shall NOT apply because 5 ILCS 120/7(d) of the Act specifically exempts library systems of the specified size from such requirements, and authorizes them to permit attendance by other means in accordance with procedural rules such as those contained herein. Specifically, RAILS board members or, in the case of RAILS board committee members may attend by video and/or audio conferencing or by other electronic means for quorum and voting purposes in accordance with these provisions of the Open Meetings Act.~~

C.4. All RAILS board members or committee members attending meetings by electronic conferencing shall be entitled to vote as if they were personally and physically present at the meeting site so long as a quorum is, in total, present, ~~and accounted for, but their votes shall be recorded by the Secretary as done by electronic attendance.~~

D.5. A board member or committee member who attends a meeting by video or audio conference must provide notice to the recording secretary at least 24 48 hours prior to the meeting unless such advance notice is impracticable.

~~E.6.~~ A member may attend an RAILS board meeting or committee meeting through electronic conferencing if, in the opinion of the member, his or her physical presence at the meeting is unable to be obtained or is inconvenient for any reason including, but not limited to reasons such as personal schedule or time conflicts, length of required travel time, the high cost of such travel, or vehicle, fuel or time involved.

F.7. Availability of electronic participation in RAILS board or committee meetings shall be indicated on the agenda and posted according to the Open Meetings Act.

G.8. The meeting minutes shall include, but need not be limited to; i) the date, time and place of the meeting; ii) the members who were either present or absent from the meeting and whether those members in attendance were physically present or present by audio conference, video conference or by other electronic means; ~~and~~ iii) a summary of discussion on all matters proposed, deliberated, or decided, and iv) a record of any votes taken.

H.9. The location of the meeting included on the notice shall be equipped with a suitable transmission system (e.g. a speakerphone) in order that the public audience, the members in attendance and any staff in attendance will be able to hear any input, vote or discussion of the conference and that the member attending by electronic means shall have a similar capability of hearing and participating in such input, vote or discussion.

I.10. ~~As the~~ At the beginning of RAILS board and committee meetings and as necessary during the meeting, the chair will check with all remote location(s) with RAILS board or committee member(s) present to ensure that each such connection is active.

J.11. The chair will ~~is responsible to~~ call on all remote location board and committee members throughout the meeting to encourage full participation and discussion. ~~Prior to closing discussion and taking any vote, the chair will ask all remote~~

~~location(s) with RAILS board member(s) present whether there are any additional comments, questions, or information to be added to the discussion.~~

K.12. All decisions will be made using majority rule except when a higher vote is required.

L. There will be no sidebar discussions among board members at any time.

~~13. 14. The procedures outlined above shall also apply to each RAILS board committee and each committee member.~~

~~**PASSED BY REACHING ACROSS ILLINOIS LIBRARY SYSTEM (RAILS) BOARD
ON JULY 1, 2011.**~~

~~**ATTEST:**~~

Final version recommended for Board approval

Reaching Across Illinois Library System (RAILS) POLICY ON MEETINGS via ELECTRONIC MEANS

Revision Control

- Originally Approved by the Merger Transition Board on April 6, 2011
- RAILS Board Approved July 1, 2011

The Reaching Across Illinois Library System (RAILS) board believes it is in the best interest of its members and Illinois residents that the fullest participation and attendance in all meetings be achieved whenever possible.

The RAILS board in all of its regular, special, and committee meetings complies and intends to comply with the provisions of the Open Meetings Act. The Open Meetings Act allows attendance at public body meetings through audio conference, video conference, or by any other electronic conferencing without physical attendance. The Open Meetings Act also allows library systems with jurisdiction over specific geographic area of more than 4,500 square miles [5 ILCS 120/7(d)], such as RAILS, to permit board and committee members to attend meetings by other means than physical presence so long as they adopt specific procedural rules.

A. All pertinent provisions of the Open Meetings Act must be complied with, including specifically the proper notice of any regular or special meeting, the proper record keeping or minutes of each meeting, and the appropriate agenda preparation and posting for each meeting. In particular, any use of closed sessions shall be in compliance with the provisions of the Act.

B. RAILS board members or RAILS board committee members may attend by video and/or audio conferencing or by other electronic means for quorum and voting purposes in accordance with the provisions of the Open Meetings Act.

C. All RAILS board members or committee members attending meetings by electronic conferencing shall be entitled to vote as if they were personally and physically present at the meeting site so long as a quorum is, in total, present.

D. A board member or committee member who attends a meeting by video or audio conference must provide notice to the recording secretary at least 48 hours prior to the meeting, unless such advance notice is impracticable.

E. A member may attend a RAILS board meeting or committee meeting through electronic conferencing if, in the opinion of the member, his or her physical presence at

the meeting is unable to be obtained or is inconvenient for any reason including, but not limited to reasons such as personal schedule or time conflicts, length of required travel time, the high cost of such travel, or vehicle, fuel or time involved.

F. Availability of electronic participation in RAILS board or committee meetings shall be indicated on the agenda and posted according to the Open Meetings Act.

G. The meeting minutes shall include, but need not be limited to; i) the date, time and place of the meeting; ii) the members who were either present or absent from the meeting and whether those members in attendance were physically present or present by audio conference, video conference or by other electronic means; and iii) a summary of discussion on all matters proposed, deliberated, or decided, and iv) a record of any votes taken.

H. The location(s) of the meeting included on the notice shall be equipped with a suitable transmission system (e.g. a speakerphone) in order that the public audience, the members in attendance and any staff in attendance will be able to hear any input, vote or discussion of the conference and that the member attending by electronic means shall have a similar capability of hearing and participating in such input, vote or discussion.

I. At the beginning of RAILS board and committee meetings and as necessary during the meeting, the chair will check with all remote location(s) with RAILS board or committee member(s) present to ensure that each such connection is active.

J. The chair will call on all remote location board and committee members throughout the meeting to encourage full participation and discussion.

K. All decisions will be made using majority rule except when a higher vote is required.

L. There shall be no sidebar discussions among board members at any time.