



19 September 2018

TO: RAILS Board of Directors

FROM: Deirdre Brennan

SUBJECT: Board diversity and representation

Board president Laura Turner has requested discussion of board diversity and representation. This memo is designed to outline state law requirements for representation, some history of past elections that shed some light on voting participation, and finally some conversation starter questions for the board to consider.

The Illinois Compiled Statutes 75 ILCS 10/5 set forth requirements for representation. The law is included in this packet. Essentially, the law requires that a “majority shall be elected or selected from the governing boards of the member public libraries” and “board members shall be representative of the types of libraries that library system serves.” Beyond these requirements, it is up to the board to determine the specifics of representation, including the designation of seats for specific library types.

It is important to note that all of the RAILS nominating committees over the past six years have also paid close attention to geographic representation and diversity to ensure that the board reflects the makeup of the membership as much as possible.

The current board makeup is as follows:

- 15 total members
- 8 public library trustees (majority)
- 1 academic library seat
- 1 school public library seat
- 1 special library seat
- 4 at large seats

For comparison purposes the IHLS board composition is:

- 8 public library trustee representatives
- 1 special library representative
- 1 academic library representative

- 2 public library representatives
- 3 school library representatives

Obviously, any member library staff member or public library trustee can run for the at large seats. Although we make a real effort to recruit candidates from different types of libraries, most of the candidates tend to be from public libraries. I should also point out that at large seats are the only seats for which public library staff are eligible. There is no public library staff seat on the board.

It is also important to note that voting is the key determinant of who gets elected. We have included information on numbers of candidates by type over the past few years as well as voting participation by type. Again, though we make a concentrated effort to encourage all types of libraries to vote, public libraries vote much more than any other type.

Changing the representation structure requires a bylaws change which requires a two-thirds majority vote of the board.

Some questions to consider:

What are the pros and cons of changing the representation structure?

What related issues need to be considered? Voting? Recruitment?

As I said earlier in this memo, we do work on geographic as well as other kinds of diversity. We welcome suggestions on how to increase the overall diversity of the board.

(b) A multitype library system as defined in subparagraph (3) of the definition of "library system" in Section 2 that, prior to the effective date of this amendatory Act of the 93rd General Assembly, was organized and provided service as a multitype library system that served a public library in a city with a population of 500,000 or more need not reorganize for formation as a new library system but may, at the discretion of the State Librarian, continue as a library system subject to conditions and restrictions of this Act and any stipulations of the State Librarian.

Laws 1965, p. 3077, § 4, eff. Aug. 17, 1965. Amended by P.A. 83-411, § 1, eff. Sept. 17, 1983; P.A. 93-527, § 5, eff. Aug. 14, 2003.

Formerly Ill.Rev.Stat.1991, ch. 81, ¶ 114.

10/5. Board of directors; election or selection; number; term of office; officers; compensation

§ 5. Each library system created as provided in Section 4 of this Act shall be governed by a board of directors numbering at least 5 and no more than 15 persons, except as required by Section 6 for library systems in cities with a population of 500,000 or more. The board shall be representative of the variety of library interests in the system, and at least a majority shall be elected or selected from the governing boards of the member public libraries, with not more than one director representing a single member library. For library systems as defined in subparagraph (3) of the definition of "library system" in Section 2, the board members shall be representative of the types of libraries that library system serves. The number of directors, the manner of election or selection, the term of office and the provision for filling vacancies shall be determined by the system governing board except that all board members must be eligible electors in the geographical area of the system. No director of any library system, however, shall be permitted to serve for more than a total of 6 years unless 2 years have elapsed since his sixth year of service.

The board of directors shall elect a president, secretary and treasurer. Before entering upon his duties, the treasurer shall be required to give a bond in an amount to be approved by the board, but in no case shall such amount be less than 50% of the system's area and per capita grant for the previous year, conditioned that he will safely keep and pay over upon the order of such board all funds received and held by him for the library system. As an alternative to a personal bond on the treasurer, the board of trustees may require the treasurer to secure for the system an insurance policy or other insurance instrument that provides the library with coverage for negligent or intentional acts by system officials and employees that could result in the loss of system funds. The coverage shall be in an amount at least equal to 50% of the average amount of the system's operating fund from the prior 3 fiscal years. The coverage shall be placed with an insurer approved by the board. The cost of any such coverage shall be borne by the system. The system shall provide the Illinois State Library a copy of the system's certificate of insurance at the time the system's annual report is filed. The funds of the library system shall be deposited in a bank or savings and loan association designated by the board of directors and shall be expended only under the direction of such board upon properly authenticated vouchers.

No bank or savings and loan association shall receive public funds as permitted by this Section, unless it has complied with the requirements established pursuant to Section 6 of the Public Funds Investment Act.¹

The members of the board of directors of the library system shall serve without compensation but their actual and necessary expenses shall be a proper charge against the library fund.

Laws 1965, p. 3077, § 5, eff. Aug. 17, 1965. Amended by P.A. 80-306, § 1, eff. Oct. 1, 1977; P.A. 83-411, § 1, eff. Sept. 17, 1983; P.A. 83-541, § 35, eff. Sept. 17, 1983; P.A. 83-1362, Art. II, § 81, eff. Sept. 11, 1984; P.A. 91-357, § 99, eff. July 29, 1999; P.A. 93-527, § 5, eff. Aug. 14, 2003; P.A. 97-101, § 15, eff. Jan. 1, 2012.

Formerly Ill.Rev.Stat.1991, ch. 81, ¶ 115.

¹ 30 ILCS 235/6.

10/6. Administration of libraries

§ 6. The board and officers of the public library served by the library system defined in subparagraph (2) of the definition of "library system" in Section 2 shall administer that library system. That public library system shall annually submit a plan of service to be approved by the State Librarian. The plan of service shall include the provision of specified services for all types of libraries operating within the municipal territory of the system subject to approval or revision by the State Librarian. The multitype services shall be provided in consultation with the multitype library system defined in subparagraph (3) of the definition of "library system" in Section 2 serving the same municipal territory.

Laws 1965, p. 3077, § 6, eff. Aug. 17, 1965. Amended by P.A. 83-411, § 1, eff. Sept. 17, 1983; P.A. 93-527, § 5, eff. Aug. 14, 2003.

Formerly Ill.Rev.Stat.1991, ch. 81, ¶ 116.

10/7. Powers of boards

§ 7. Each board of library directors of a system shall carry out the spirit and intent of this Act and, in addition to the other powers conferred by this Act, shall have the following powers:

1. To develop and to amend the bylaws and the plan of service for the system subject to the approval of the State Librarian.

2. To have the exclusive control of the expenditure of all moneys and funds held in the name of the library system.

3. To make and adopt such policies, rules and regulations for the government and operation of the library system as necessary.

4. To purchase or lease ground and to construct, purchase or lease, and occupy an appropriate building or buildings for the use of the library system including but not limited to the power to purchase or lease either real or personal property for system purposes through contracts which provide for the consideration for such purchase or lease to be paid through installments at stated intervals during a certain period not to exceed 20 years together with interest at a rate not to exceed the interest rate specified in Section 2 of the Bond Authorization Act¹ on the unpaid balance owing and to purchase real estate for system purposes upon a mortgage basis for up to 75% of the total consideration therefor, the remaining balance to be paid through installments at stated intervals for a period not to exceed 20 years together with interest at a rate not to exceed the interest rate specified in Section 2 of the Bond Authorization Act on the unpaid balance owing, except that in the case of a library system consisting of a single public library or multitype library system serving a city of over 500,000 population, this power shall be governed by the provisions of Division 10 of Article 8 of the Illinois Municipal Code.²

RAILS**Available At Large Seats and Board Election Totals****2012-2018**

Year term begins	At-large seats open	candidates by type (elected)				Academic library votes	Public library votes	School library votes	Special library votes	Total Votes
		school	special	public	academic					
Jul-18	3	2	x	8 (3)	1	24	181	19	20	244
Jul-17	0	no at large seats open				22	136	29	11	198
Jul-16	2	1	x	9 (2)	1	24	161	23	17	225
Jul-15	2	x	x	4 (2)	x	13	168	16	10	207
Jul-14	0	no at large seats open				21	113	33	6	173
Jul-13	2	x	1	4 (2)	x	8	140	12	8	168
Jul-12	2	1	1	4 (2)	x	16	129	15	13	173

x= no candidate