

**BY-LAWS  
FOR BOARD OF CONTROL  
OF PARISH LIBRARY DEMONSTRATION**

**Article 1. Meetings**

Section 1. Meetings of the Board of Control shall be held quarterly, in January, April, July and October at 6:00 pm and place as set down in notice of meeting. Regular meetings may be held more frequently if desired.

Section 2. The annual meeting at which the Board names officers shall be held at the time of the regular quarterly meeting for January; the library budget shall be presented at the quarterly meeting for October.

Section 3. A Quorum for the transaction of business shall consist of 4 members of the Board at all meetings.

Section 4. Board members who miss two consecutive regularly scheduled meetings will forfeit their appointment and that district council member will appoint a new representative within 30 days.

Section 5. Special meetings may be called by the Secretary at the direction of the President, or at the request of 3 members, for the transaction of business as stated in the call for the meeting.

Section 6. The Secretary shall mail notices of all regular meetings to all members at least five days before the meeting date.

**Article 1.1 Teleconference/ Remote Participation in Library Board of Control Meetings**

The St. John the Baptist Parish Library Board of Control shall allow electronic (video/teleconference/remote) participation in Board meetings as provided by Louisiana revised statutes 42:14 and 42.17.2.1.

**Public Participation – La. R.S. 42:14(E)**

The St. John the Baptist Parish Library Board of Control shall allow any member of the public with a disability recognized by the Americans with Disabilities Act (ADA)<sup>1</sup>, or

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<sup>1</sup> The Americans with Disability Act (ADA), in 42 USC §12102, defines “disability” for the purpose of an individual under the ADA to mean:

- A physical or mental impairment that substantially limits one or more major life activities of the individual;
- A record of such an impairment; or
- Being regarded as having such an impairment.

The ADA further defines “major life activities” as including, but not limited to, the following:

- Caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working; and

caretaker of such person, to participate in its meetings via electronic means (video/teleconference/remote participation) if such person so requests.

Any such requests must be directed to the Secretary (Library Director) within 24 hours in advance of the meeting. During the public comment period, the Secretary or their designee would monitor the video application to ensure that the requesting party is afforded an opportunity to speak or be recognized. Upon conclusion of the public comment period, the requesting party will be muted for the remainder of the meeting.

The Board of Control may request proof of disability. Listed below are examples of acceptable methods that can serve as credible assurance of a disability recognized by the Americans with Disabilities Act (ADA):

1. State-issued disability placard or card,
2. State-issued proof of disability,
3. Verbal representation, not contradicted by observable fact,
4. Medical documentation from a licensed physician

#### Board Member Participation – La. R.S. 42:17.2.1

The St. John the Baptist Parish Library Board of Control shall allow any member of the Board of Control with a disability recognized by the Americans with Disabilities Act (ADA)<sup>2</sup>, to participate and vote in a meeting via electronic means as defined in La. R.S. 42:17.2 (video or teleconference) if such member so requests.

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• Operation of major bodily functions, such as functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

42 USC §12102(4) provides that disability shall be construed in favor of broad coverage of individuals, and that impairments may be temporary in nature and still constitute a disability for the purposes of the ADA.

The ADA itself does not define or identify specific medical conditions as constituting a disability. However, the Equal Employment Opportunity Commission (EEOC) and the U.S. Department of Justice: Civil Rights Division, who are tasked with enforcement of the ADA, have through rulemaking provided guidance that the following medical conditions, when substantially limiting major life activities, will likely constitute a disability for the purposes of the ADA:

• Blindness • Deafness • Intellectual disability • Partial or complete missing of limbs or mobility impairments requiring a wheelchair • Autism • Cancer • Cerebral palsy • Diabetes • Epilepsy • Human Immunodeficiency Virus (HIV), • Multiple sclerosis • Muscular dystrophy • Major depressive disorder • Bipolar disorder • Post-traumatic stress disorder (PTSD) • Obsessive compulsive disorder (OCD) • Schizophrenia

<sup>2</sup> The Americans with Disability Act (ADA), in 42 USC §12102, defines “disability” for the purpose of an individual under the ADA to mean:

Any such requests should be directed to the Secretary (Library Director) within 24 hours in advance of the meeting.

During a Board of Control meeting wherein a member is participating through electronic means, the Secretary or their designee would monitor the video application to ensure that the requesting member is afforded an opportunity to speak or be recognized. A board member must utilize the "chat" feature of the video application to be recognized by the board president. The Secretary or their designee will notify the President of this request.

Such a member's participation via electronic means shall also count towards the making of a quorum.

Members of a public body who participate in a meeting via electronic means are not eligible to receive a per diem.

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  - A record of such an impairment; or
  - Being regarded as having such an impairment.

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- Caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working; and
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## **Article 2. Officers**

Section 1. Officers of the Board shall be chosen at the regular annual meeting of the board and shall be President, Vice President and Treasurer, all of whom shall be members of the Board.

Section 2. Vacancies in offices shall be filled for the unexpired term at the first regular meeting of the Board after the vacancy occurs.

Section 3. The Library Director shall act as Secretary of the Board, and she/he shall keep a true and accurate account of all proceedings of the meetings; shall issue notices of all meetings; shall have custody of the minutes and other records of the Board; and upon authorization of the President shall notify the appointing body of any vacancies of the Board. Upon consultation with the President she/he shall prepare the agenda for all meetings.

Section 4. The President of the Board shall preside at all meetings, appoint all committees, certify for payment all bills by signing the summary sheet of claims, authorize calls for meetings and generally perform the duties of a head official.

Section 5. In the absence of the President, the Vice President shall exercise the President's functions; and may, upon the request of the President, take over any duties he / she is unable to perform.

Section 6. The Treasurer shall have charge of special library funds and income outside the appropriations in charge of the parish treasurer – fines, unconditional gifts, donations and contributions from individuals and corporations; shall sign checks on the account when bills are presented by Library Director, or in the manner prescribed by the Board and shall report periodically on the state of such funds to the Board.

## **Article 3. The Library Director and Employees**

Section 1. The Library Director shall be considered the executive officer of the Library and shall have the responsibility and the administration of the Library and shall carry out the policies adopted by the Board.

Section 2. The Library Director shall be held responsible for the care of the buildings and equipment; for the employment and direction of the staff; for the efficiency of the Library's services to the public, and for the operation of the Library and for expenditures provided by the annual budget.

Section 3. The Library Director shall attend all board meetings except in case of an executive session when the library director may be asked to retire. In such cases, a member is appointed to act as secretary.

## **Article 4. Resolutions and Orders**

Section 1. Unless stated otherwise in this policy, a majority of the votes of all members of the Board present shall be necessary for the adoption or passage of any motion, resolution or order. The ex-officio member has full voting privilege.

Section 2. In determining whether a particular motion resolution or action of the Board has received the requisite number of "yea" votes, an "abstention" shall not be counted, and that member shall be considered as not voting. This rule shall apply regardless of whether the required number of favorable votes must be of the total

membership of the Library Board, of those members present, or, of those members present and voting.

Section 3. All agenda items dealing with the following cannot be voted on at the meeting they are introduced, and instead must be voted upon at a subsequent meeting:

1. Budget Adoptions
2. New Policy Creation
3. Board Policy Revisions

Section 4. The Board reserves the right to waive policy at its discretion. Any waiver of policy must be done by a motion to waive policy and by a simple majority vote of the total membership of the Board.

#### **Article 5. Committees**

Section 1. Special committees for the study and investigation of special problems or for the performance of specially assigned tasks may be appointed by the President, such committees to service until the completion of the work for which they were appointed.

#### **Article 6. The Order of Business**

Section 1. The order of business at the regular meetings of the Board shall be

1. Call to order; Calling of roll
2. Approval of minutes
3. Director's Report
4. Unfinished business; Reports of committees
5. New Business
6. Adjournment

Section 2. All agenda items requiring action by the Board must indicate "Requires Action".

#### **Article 7 Parliamentary Procedure**

The following rules shall govern the conduct of all meetings of the Library Board of Control and its committees:

- A. The President of the Board, or in his/her absence, the Vice President shall serve as the presiding officer. In the event that neither party is available, a temporary chairman shall be elected by a **majority vote of those Board members present and voting**. The temporary chairman shall serve as the presiding officer.
- B. After the call to order, roll call, action on the minutes of any previous meeting, Director's report, the presiding officer shall call, in the order listed on the agenda, first the items listed under unfinished business and then new business, and shall recognize first the Director or the Board member who caused such item to be

placed on the agenda. The Director or Board member shall then explain the item, and make or recommend, as the case may be, such motion as he/she shall desire. Said motion shall receive a second (motion) to continue.

- C. The presiding officer shall recognize any members of the Board, the Director and members of the staff designated by the Director, who wish to be heard on that item, in the order the presiding officer deems advisable. Each Board member shall be allowed five (5) minutes to express his/her initial views on any agenda item, motion, substitute motion, or amendment related to each agenda item and three (3) minutes for further comment. No member of the Board or staff shall speak without first being recognized by the presiding officer.

Items of business not on the agenda may not be suggested from the floor for discussion except by **unanimous approval of the members present** at a meeting. The motion to add an item not on the agenda shall identify the item with reasonable specificity, including the purpose for the proposed addition to the agenda, and shall be entered into the minutes. In the event that the Board should add an item to its agenda after the Board meeting begins, the presiding officer shall orally request of the audience whether anyone in attendance would like to speak on the added agenda item. Each person indicating a desire to do so shall be given an opportunity to address the Board on each agenda item added. The Board shall delay deliberations on that agenda item until such time as all interested members of the public have had an opportunity to speak.

- D. After discussion by the member of the Board and the Director has been completed, the presiding officer shall call for the vote upon the pending motion or any amendments or substitute motions which may have been made. During Board discussion of any agenda item, any Board member, at any time, may move the question on any pending motion, substitute motion, amending motion, etc. and thus conclude further discussion of same, provided there is an affirmative vote of ***two-thirds (2/3) of the members present and voting*** on the motion for the previous question.
- E. The presiding officer of any meeting shall conduct such meeting in accordance with the Board policy and procedure and shall have authority to make rulings or interpretation of Board policy and procedure and any other matter or question which may arise with regard to conducting the meeting, including recognition of speakers, whether a speaker is out of order, etc. The decision of the presiding officer shall be final, unless appealed by a Board member to the entire Board as set forth hereinbelow.
- F. Any member of the Board who disagrees with a decision by the presiding officer may appeal such decision to the total Board. Such appeal may be taken by a statement to that effect and no second is required. The presiding officer shall immediately call for a vote on the question of whether or not the ruling of the presiding officer shall be sustained. Upon a favorable vote of a ***majority of***

***those Board members present and voting***, including the presiding officer, the ruling of the presiding officer shall have been sustained.

- G. In the conduct of meetings of the Board any question not covered by these rules of procedure shall be governed by Robert's Rules of Order, Revised.

#### **Article 8. Amendments**

These by-laws may be amended at any regular meeting by a majority vote; provided the proposed amendment was stated in the call for the meeting.

Approved: Blaine H. J.  
President – Library Board of Control

Date: 1/10/2024

Revised 1/10/2024