

MARIANNA COMMUNITY PUBLIC LIBRARY
247 Jefferson Ave, PO Box 457
Marianna, PA 15345

As last revised April 2012, Internal Policies Adopted Nov. 27, 2012
BY-LAWS

Article I Name

This organization shall be the *Marianna Community Public Library*, as specified in its Articles of Incorporation.

Article II Object

The object of this organization is to maintain a free public library to provide culture, education and entertainment for the betterment of the community.

Article III Membership

Library identification cards are issued free to residents of Marianna Borough and West Bethlehem Township. All patrons will be required to present a photo ID, per state law. A parent/guardian must be present and show their ID with patrons under 18. See attached "Policies" for fees.

Article IV Board Members

Sec. 1 The Board members shall consist of 3 members representing West Bethlehem Township, 3 members representing Marianna Borough Council and 3 members at-large.

Sec. 2 Each member will serve for a period of 3 years.

Sec. 3 Any vacancy on the Board, created by either resignation or removal shall be filled by appointment from the appointing authority of the member that resigned/was removed to complete his/her unexpired term.

Sec. 4 Any Board member wishing to tender his/her resignation must do so in writing.

Article V Officers

Sec. 1 The officers of the Corporation shall be a President, Vice President, Treasurer, and Recording Secretary.

Sec. 2 Selection of Officers: Each of the officers of this corporation will be elected and appointed annually by the board at its September meeting. Each officer will remain in office until a successor to such office has been selected and qualified.

Sec. 3 Multiple Officeholders: In any election of officers, the Board may not elect and appoint a single person to hold any more or two offices simultaneously.

Sec. 4 Vacancies: Should the office of President, Vice President, Treasurer or Recording Secretary become vacant, the Board shall elect a successor from its membership at the next meeting and such election shall be for the unexpired term of such office.

Sec. 5 President: The President shall preside at all meetings of the Board. The President shall be the executive head of all committees and shall perform all duties as may from time to time be required by the Board. The President shall be empowered to call special meetings of the Board upon notice duly given. The President may appoint committees from time to time as necessary.

Sec. 6 Vice President: In the event that the President is absent or unable to act, the President's duties shall be performed by the Vice President.

Sec. 7 Treasurer: The Treasurer shall be the custodian of all the funds of the corporation and shall keep accurate records of all the receipts and disbursements and shall deposit all money and other valuable property in the name of the corporation and in such depositories as may be designated by the Board. A report of the financial condition of the Corporation shall be made by the Treasurer at each meeting of the Corporation or as requested by the Board. The Treasurer shall make all disbursements as are authorized by the Board or by any committee authorized by the Board to approve disbursements. The Treasurer shall execute bond for the faithful performance of his/her duties in such amount as the Board from time to time require, with the approval bonding Company as surety. The premium upon such bond shall be payable from the funds of the Corporation.

Sec. 8 Recording Secretary: The Recording Secretary shall attend all meetings of the Board and shall keep an accurate record of their proceedings and books kept for that purpose. The Secretary shall keep the seal of the Corporation and affix the seal to all the instruments requiring the same.

Article VI Meetings

Sec. 1 The September meeting shall be considered the start of the year for Board activities.

Sec. 2 The meetings of the Board shall be held on the 4th Tuesday of September, October, November, January, February, March, April, and May at 6:30pm.

Sec. 3 Special meetings may be called by the President or any three Board members.

Article VII By-Laws

The constitution or by-laws at large may be amended at any stated meeting by a 2/3 vote of the Board members present, provided that notice of such amendments has been given prior to said meeting.

Article VIII Quorum

Five members of the Board present at any called meeting shall constitute a quorum for the transaction of business.

Article IX Fiscal Year

The Corporation's fiscal year ends December 31.

Article X Parliamentary Procedure

The rules contained in "Robert's Rules Of Order, Revised" shall govern in all cases to which they are applicable, and in which they are not inconsistent with the by-laws of this organization.

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PUBLIC POLICIES

(as of April 2012)

LIBRARY CARDS

Library cards are free, but all patrons must provide a valid Photo I. D. Internet users must initial and sign our policy statement (see below for more details).

Parents/Guardians of children under 18 must be present and sign the library card application for their children, as well as the Internet policy.

Anyone who owes fines or has unreturned items cannot borrow items or use library computers.

The library reserves the right to update registration files every three years or as needed. All patrons will have to register again at that time, providing updated information.

FEES

Fines: Books cannot be borrowed if overdue books have not been returned. The fine on overdue books and VHS tapes is \$.15 per day, \$1.00 a day for DVDs.

Borrowing Period: Books and VHS tapes may be borrowed for two weeks, DVDs for two days. Items may be renewed once in person or over the phone.

Copies/Printouts: The cost of black & white copies will be \$.25 per page for B & W. Homework/resume copies are free of charge, up to 20 pages.

Faxes: The cost of outgoing faxes will be \$1 per page, including cover. Incoming faxes cannot be received.

Meeting Room Rent: \$30 per hour during normal working hours; \$40 outside of normal working hours.

COMPUTER/INTERNET USE

Anyone wishing to use computers or the Wi-Fi in the library must register with us and have a valid library card with no outstanding fines.

All users must initial and sign the attached agreement.

Children under 6th grade are not permitted to use computers without a parent present.

All children under 18 must have the Internet policy form filled out and signed by a parent who is present at the library.

NONTRADITIONAL SCHOOL STUDENTS

Students who are homeschooled or in cyberschool and who come to the library during school hours without a parent, must have the attached form on file with us, including a parent's signature and proof of enrollment.

BOOK DONATIONS

Marianna Library has limited space available for storage. For that reason, we can only accept "gently used," book donations during certain times of the year, which we will publicize. Exceptions are very recent paperback books or gently used DVD movies which we can use any time.

The library reserves the right to use donated books as the librarian sees fit; some may be added to the collection, while others will be put in the book sale, or donated to another worthy cause.

MEMORIALS/TRIBUTES

The library welcomes Memorial Contributions in memory of friends or family, as well as Tribute Contributions in someone's honor.

Typically contributions are used for books, but at the donor's request, the funds may be used for other materials or special needs, such as furniture, etc.

While the library encourages donors to suggest topics for books, the librarian reserves the right to make final selections based on the needs of the patrons at that time.

Tributes are "in honor" of a person's special occasion, such as a wedding, graduation, new baby, or birthday.

Memorial and Tribute donors will supply the names/addresses of the person(s) who should be notified of the gift.

All Memorials and Tributes are recorded in a permanent file at the library.

Internal Policies

Adopted Nov. 27, 2012

Employee Complaints

Marianna Library employees are expected to consult promptly with their supervisor regarding any action, occurrence, or attitude either expressed or implied that is perceived as unfair or inequitable. Employees who believe it is not feasible to discuss the problem with the executive director, for any reason, may consult directly with the chief executive. A written record of the consultation will be made.

Marianna Library employees are generally required to discuss and seek resolution of personnel issues with the executive director. In limited circumstances, an employee may contact the board chair. These circumstances include only issues involving employment discrimination, illegal conduct, or threatening or abusive conduct, and the board chair may be contacted only if the matter 1) has not been reasonably resolved by the executive director within a reasonable time or 2) if the matter involves the misconduct by the executive director. Any contact to the board chair should be in writing and must detail the matter so that a prompt and complete investigation may be conducted.

Marianna Library employees should contact the executive director, as soon as possible, preferably within 24-48 hours of any incident giving rise to a complaint. Any contact with the board chair should be initiated as soon as possible, preferably within 24-48 hours of either the occurrence of the event from which the complaint arises or the executive director's failure to reasonably resolve the issue within a reasonable time. If contact with the board chair is made, a decision will be rendered as promptly as possible under the circumstances.

Sexual Harassment

Marianna Library is committed to providing a work environment that is free of unlawful discrimination. In keeping with this objective, Marianna Library maintains a strict policy prohibiting unlawful harassment, including harassment based on any of the following categories: race, color, religion, sex, pregnancy, disability, national origin, ethnicity or ancestry, age, or any other protected category.

In particular, sexual harassment is defined as any unwelcome conduct that would not have occurred but for the employee's gender, including but not limited to sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature that 1) has been made either explicitly or implicitly as a term or condition of an individual's employment or 2) is used as a basis for employment decisions such as promotions and benefits affecting such individual and other offensive behavior directed toward an employee because of or on account of his or her gender, which substantially interferes with an individual's work performance or creates an intimidating, hostile, or offensive work environment.

In addition to sexual harassment, Marianna Library also prohibits all forms of harassment on any basis prohibited by discrimination laws, such as race, religion, ethnicity, age, and disability. While it is not easy

to define precisely what harassment is, it certainly includes slurs, epithets, threats, derogatory comments, unwelcome jokes, teasing, and other similar verbal, written, or physical conduct.

Any employee who believes he or she has been or is being harassed by a coworker, supervisor, or agent of Marianna Library should immediately report the facts of the incident(s) and names of the individuals involved to the executive director of the library or the board president. Employees who report harassment, in good faith, should not fear any reprisal (also, refer to whistleblower policy). All employees should also immediately report any incidents of harassment they witness to a management representative.

After a report of harassment is received, an investigation by management will be undertaken promptly. Any employee who has been found by Marianna Library after investigation, to have harassed another employee in violation of this policy will be subject to discipline that may range from a warning up to, and including, termination.

Confidentiality

It is the policy of Marianna Library that board members and employees of Marianna Library may not disclose, divulge, or make accessible confidential information belonging to, or obtained through their affiliation with Marianna Library to any person, including relatives, friends, and business and professional associates, other than to persons who have a legitimate need for such information and to whom Marianna Library has authorized disclosure. Board members and employees shall use confidential information solely for the purpose of performing services as a board member or employee for Marianna Library. This policy is not intended to prevent disclosure where disclosure is required by law.

Board members and employees must exercise good judgment and care at all times to avoid unauthorized or improper disclosures of confidential information. Conversations in public places, such as restaurants, elevators, and airplanes, should be limited to matters that do not pertain to information of a sensitive or confidential nature. In addition, board members and employees should be sensitive to the risk of inadvertent disclosure and should, for example, refrain from leaving confidential information on desks or otherwise in plain view and refrain from the use of speakerphones to discuss confidential information if the conversation could be heard by unauthorized persons.

Whistleblower Protection

Purpose

In keeping with the policy of maintaining the highest standards of conduct and ethics, Marianna Library will investigate any suspected fraudulent or dishonest use or misuse of the library's resources or property by staff, board members, consultants, or volunteers.

Staff, board members, consultants, and volunteers are encouraged to report suspected fraudulent or dishonest conduct (i.e., to act as "whistleblower"), pursuant to the procedures set forth below.

Reporting

A person's concerns about possible fraudulent or dishonest use or misuse of resources or property should be reported to the executive director or if the executive director is a subject of concern, then to the President of the Board of Directors. Alternately, to facilitate reporting of suspected violations where the reporter wishes to remain anonymous, a written statement may be submitted to one of the individuals listed above.

Definitions

Baseless Allegations

Allegations made with reckless disregard for their truth or falsity. Individuals making such allegations may be subject to disciplinary action by Marianna Library, and /or legal claims by individuals accused of such conduct.

Fraudulent or Dishonest Conduct

A deliberate act or failure to act with the intention of obtaining an unauthorized benefit. Examples of such conduct include:

- Forgery of alteration of documents
- Unauthorized alteration or manipulation of computer files
- Fraudulent financial reporting
- Pursuit of a benefit or advantage in violation of Marianna Library's Conflict-of-Interest Policy
- Misappropriation or misuse of library resources, such as funds, supplies, or other assets
- Authorizing or receiving compensation for goods not received or services not performed
- Authorizing or receiving compensation for hours not worked

Whistleblower

An employee, consultant, or volunteer who informs the Executive Director or President of the Board of Directors about an activity relating to Marianna Library which that person believes to be fraudulent or dishonest.

Rights and Responsibilities

Staff

Marianna Library staff are required to report suspected fraudulent or dishonest conduct to the Executive Director or if it involves the Executive Director, to the President of the Board of Directors. Reasonable care should be taken in dealing with suspected misconduct to avoid:

- Baseless allegations
- Premature notice to persons suspected of misconduct and/or disclosure of suspected misconduct to others not involved with the investigation
- Violations of a person's rights under law

Due to the important yet sensitive nature of the suspected violations, effective professional follow-up is critical. Staff, while appropriately concerned about "getting to the bottom" of such issues, should not in any circumstances perform any investigative or other follow-up steps on their own. Accordingly, a supervisor who becomes aware of suspected misconduct

- Should not contact the person suspected to further investigate the matter or demand restitution
- Should not discuss the case with attorneys, the media, or anyone other than the executive director
- Should not report the case to an authorized law enforcement office without first discussing the case with the executive director.

Investigation

All relevant matters, including suspected but unproved matters, will be reviewed and analyzed, with documentation of the receipt, retention, investigation, and treatment of the complaint. Appropriate corrective action will be taken, if necessary, and findings will be communicated to the reporting person and the executive director. Investigations may warrant investigation by independent persons such as auditors and/or attorneys.

Whistleblower Protection

Marianna Library will protect whistleblowers as defined below:

- Marianna Library will use its best efforts to protect whistleblowers against retaliation. Whistleblowing complaints be handled with sensitivity, discretion, and confidentiality to the extent allowed by the circumstances and the law. Generally, this means that whistleblower complaints will only be shared with those who have a need to know so that Marianna Library can conduct an effective investigation, determine what action to take based on the results of any such investigation, and in appropriate cases, with law enforcement personnel. (Should disciplinary or legal action be taken against a person or persons as a result of a whistleblower complaint, such persons may also have the right to know the identity of the whistleblower.)
- Employees, consultants, and volunteers of Marianna Library may not retaliate against a whistleblower for informing management about an activity which that person believes to be fraudulent or dishonest with the intent or effect of adversely affecting the terms or conditions of the whistleblower's employment, including but not limited to, threats of physical harm, loss of job, punitive work assignments, or impact on salary or fees. Whistleblowers who believe that they have been retaliated against may file a written complaint with the Executive Director or if the Executive Director is the source of the retaliation, the President of the Board of Directors. Any complaint of retaliation will be promptly investigated and appropriate corrective measures taken if allegations of retaliation are substantiated. This protection from retaliation is not intended to prohibit supervisors from taking action, including disciplinary action, in the usual scope of their duties and based on valid performance-related factors.
- Whistleblowers must be cautious to avoid baseless allegations (as described earlier in the definitions section of this policy).

Conflict of Interest

- Marianna Library employees and board members have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. This policy establishes on the framework within which the library wishes its business to operate. The purpose of these guidelines is to provide general direction so that board members and employees can seek further clarification on issues related to the subject of acceptable standards of operation.

- An actual or potential conflict of interest occurs when a board member or an employee is in a position to influence a decision that may result in personal gain or gain for a relative as a result of Marianna Library's business dealings. For the purpose of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the board member or employee is similar to that of persons who are related by blood or marriage.
- No presumption of a conflict is created by the mere existence of a relationship with outside firms. However, if a board member or an employee has any influence on any material business transactions, it is imperative that he or she discloses to an officer of the organization as soon as possible the existence of any actual or potential conflict of interest so that safeguards can be established to protect all parties.
- Personal gain may result not only in cases where a board member, an employee, or a relative has a significant ownership in a firm with which Marianna Library does business, but also a board member, an employee, or a relative receives any kickback, bribe, substantial gift, or special consideration as a result of any transaction or business dealings involving the library.

Equal Employment Opportunity

Marianna Library is committed to the policy of equal opportunity in employment. It is our policy to recruit and employ qualified persons on the basis of merit without regard to race, color, religion, national origin, sex, age, ancestry, marital status, sexual orientation, disability, military or veteran status, or any other protected class as set forth under applicable state and federal civil rights laws. Employment decisions will be based on the individual's qualifications to perform the job. This policy of nondiscrimination applies to employment, training, compensation, promotion, transfer, social and recreational programs, and all other conditions of employment.

It is the policy of Marianna Library to

- Follow personnel procedures that will ensure equal opportunity for all people without regard to race, color, religion, national origin, sex, age, ancestry, marital status, sexual orientation, disability, military or veteran status, or any other protected class.
- Make reasonable accommodations wherever necessary for all employees or applicants with disabilities, provided that the individual is otherwise qualified to perform the major functions of the job.
- Thoroughly investigate instances of alleged discrimination and take corrective action if warranted.

If you have any questions regarding our equal opportunity policy, or if you believe you have in any way been discriminated against, refer to the policy containing the complaint procedure (if applicable) and/or contact the executive director immediately. If you cannot discuss the matter with the director, please contact the President of the Board of Trustees.

Record Retention and Document Destruction

Purpose

In accordance with the Sarbanes-Oxley Act, which makes it a crime to alter, cover up, falsify, or destroy any document with the intent of impeding or obstructing any official proceeding, this policy provides for the systematic review, retention, and destruction of documents received or created by Marianna Library in connection with the transaction of organization business. This policy covers all records and documents, regardless of physical form, contains guidelines for how long certain documents should be kept, and how records should be destroyed (unless under a legal hold). The policy is designed to ensure compliance with federal and state laws and regulations, to eliminate accidental or innocent destruction of records, and to facilitate Marianna Library operations by promoting efficiency and freeing up valuable storage space.

Document Retention

Marianna Library follows the document retention procedures outlined below. Documents that are not listed, but are substantially similar to those listed in the schedule, will be retained for the appropriate length of time.

Corporate Records

Annual reports to Secretary of State/Attorney General	Permanent
Articles of Incorporation	Permanent
Board Meeting and Board Committee Minutes	Permanent
Board Policies/Resolutions	Permanent
Bylaws	Permanent
Construction Documents	Permanent
Fixed Asset Records	Permanent
IRS Application for Tax-Exempt Status (Form 1023)	Permanent
IRS Determination Letter	Permanent
State Sales Tax Exemption Letter	Permanent
Contracts (After expiration)	7 years
Correspondence (general)	3 years

Accounting and Corporate Tax Records

Annual Audits and Financial Statements	Permanent
Depreciation Schedules	Permanent
IRS Form 990 Tax Returns	Permanent
General Ledgers	(7 years/ Permanent)
Business Expense Records	7 years
IRS Forms 1099	7 years
Journal Entries	7 years
Invoices	7 years
Sales Records (box office, concessions, gift shop)	5 years
Petty Cash Vouchers	3 years
Cash Receipts	3 years
Credit Card Receipts	3 years

Bank Records

Check Registers	(7 years/Permanent)
Bank Deposit Slips	7 years
Bank Statements and Reconciliation	7 years
Electronic Fund Transfer Documents	7 years

Payroll and Employment Tax Records

Payroll Registers	Permanent
State Unemployment Tax Records	Permanent
Earnings Records	7 years
Garnishment Records	7 years
Payroll Tax Returns	7 years
W-2 Statements	7 years

Employee Records

Employment and Termination Agreements	Permanent
Retirement and Pension Plan Documents	Permanent
Records Relating to Promotion, Demotion, or Discharge	7 years after termination
Accident Reports and Worker's Compensation Records	5 years
Salary Schedules	5 years
Employment Applications	3 years
I-9 Forms	3 years after termination
Time Cards	2 years

Donor and Grant Records

Donor Records and Acknowledgment Letters	7 years
Grant Applications and Contracts	7 years after completion

Legal, Insurance, and Safety Records

Appraisals	Permanent
Copyright Registrations	Permanent
Environmental Studies	Permanent
Insurance Policies	Permanent
Real Estate Documents	Permanent
Stock and Bond Records	Permanent
Trademark Registrations	Permanent
Leases	6 years after expiration
OSHA Documents	5 years
General Contracts	3 years after termination

Electronic Documents and Records

Electronic documents will be retained as if they were paper documents. Therefore, any electronic files, including records of donations made online, that fall into one of the document types on the above schedule will be maintained for the appropriate amount of time. If a user has sufficient reason to keep an email message, the message should be printed in hard copy and kept in the appropriate file or moved to an "archive" computer file folder. Backup and recovery methods will be tested on a regular basis.

Emergency Planning Marianna Library records will be stored in a safe, secure, and accessible manner. Documents and financial files that are essential to keeping the library operating in an emergency will be duplicated or backed up at least every week and maintained off-site.

Document Destruction

The Board Treasurer is responsible for the ongoing process of identifying financial records, which have met the required retention period, and overseeing their destruction. The Executive Director is responsible for the ongoing process of identifying corporate records, employee records, donor and grant records, and legal, insurance, and safety records which have met the required retention period, and overseeing their destruction. Destruction of financial and personnel-related documents will be accomplished by shredding.

Document destruction will be suspended immediately upon any indication of an official investigation or when a lawsuit is filed or appears imminent. Destruction will be reinstated upon conclusion of the investigation.

Compliance

Failure on the part of employees to follow this policy can result in possible civil and criminal sanctions against Marianna Library and its employees and possible disciplinary action against responsible individuals. The executive director and board treasurer will periodically review these procedures with legal counsel or the organization's certified public accountant to ensure that they are in compliance with new or revised regulations.