





TO: Cultural Education Committee

FROM: Mark Schaming 

SUBJECT: Amendment of Regents Advisory Council on Libraries Bylaws

DATE: April 25, 2019

AUTHORIZATION(S): 

SUMMARY

Issue for Decision

Amendments to Bylaws of the Regents Advisory Council on Libraries.

Reason(s) for Consideration

Regents approval is required.

Proposed Handling

Amendments to the Bylaws of the Regents Advisory Council on Libraries must have Regents approval. The Council amended their Bylaws at their November 30, 2018 meeting, consisting of minor changes as well as amending the total number of members to reflect the Board of Regents' action in October 2017 to increase membership of the Advisory Council. See Attachment A. Highlighted sections reflect updates and amendments.

Background Information

The Regents Advisory Council on Libraries, the oldest continuing Regents advisory council, advises the Regents regarding Library policy, works with the officers of the State Education Department in developing a comprehensive statewide library and information policy, and makes recommendations to the Regents concerning the implementation of library programs and initiatives.

Recommendation

Staff recommend that the Board of Regents approve the amended Bylaws of the Regents Advisory Council on Libraries.

Bylaws: Regents Advisory Council on Libraries

Article I - Name

The Board of Regents, on June 3, 1894, voted to establish the Regents Advisory Council on Libraries "to serve as a library council with whom the University officers may consult whenever the advice or cooperation of experts may be desirable." These bylaws were approved by the Commissioner of Education on May 11, 1977.

Article II - Object

The Regents Advisory Council on Libraries advises the Regents regarding Library policy, works with the officers of the State Education Department in developing comprehensive statewide library and information policy and makes recommendations to the Regents concerning the implementation of the program.

Article III - Members Section

Section 1. The membership of the Council shall consist of ~~twelve (12)~~ fifteen (15) members or as many members as shall be determined by the Board of Regents.

Section 2. Members of the Regents Advisory Council on Libraries shall be appointed by the Board of Regents upon recommendation of the Commissioner of Education. Membership shall be for a five (5) year term. If a member is appointed to fill an unexpired term, he or she is eligible for an additional full five (5) year term. Reappointment may be made after a lapse of one (1) year. Terms of members begin October 1.

Section 3. Members of the Council shall be divided into five classes, ~~three of which shall comprise two members each and two of which shall have three members each~~, which shall comprise three members each. Appointments, therefore, are staggered, and no more than three members ordinarily are replaced in any given year.

Section 4. A member may be removed by the Board of Regents. If a member fails to attend three successive meetings without proper cause and notification, his or her office may be declared vacant by action of the Board of Regents.

Section 5. A member who finds it necessary to resign shall submit his or her intent in writing to the chairperson, who shall place it on the agenda for the next Council meeting and report the vacancy to the Commissioner of Education and the State Librarian.

Section 6. Quorum for all meetings of the Council shall be a simple majority.

Section 7. All members of the Council shall be voting members. If a member cannot be present at a meeting, that member's vote may be cast by proxy or by mail or by electronic means provided that said member gives prior notification to the chairperson at least five (5) days before the date on which the votes are to be counted. A majority of the council membership is needed to carry a motion.

Section 8. The State Librarian, Director of the State Library and Coordinator of Statewide Library Services serve as support personnel for the Council.

Article IV - Officers

Section 1. The officers of the Council shall be a Chairperson and a Vice-Chairperson, who shall perform the duties included in the bylaws. The Chairperson shall preside at regular and special meetings of the Council. In the Chairperson's absence, the Vice-Chairperson shall preside.

Section 2. No member shall be eligible to serve more than two terms in the same office during a single five-year term.

Section 3. Officers shall be elected by ballot at the September meeting to serve for a period of one year or until his or her successor is elected, and his or her term of office shall begin at the close of the annual meeting at which he or she is elected. Candidates shall be elected by simple majority.

Section 4. Should a Chairperson leave office before the term has expired, the Vice-Chairperson shall assume the office of Chairperson and subsequently appoint a Vice-Chairperson. If the Vice-Chairperson leaves office before the term has expired, the Chairperson shall appoint a replacement. Officers appointed to vacancies filling unexpired terms shall begin incumbency immediately and serve until his or her successor is elected at the next annual meeting. If a member is appointed to fill an expired officer term, he or she is eligible for an additional two terms in that position.

Article V - Meetings

Section 1. Regular meetings [or] of the Council shall be held on or about the third Friday of September, November, January and April, unless otherwise ordered by the Chairperson. The September meeting shall be the Annual Meeting. The April meeting shall coincide with the meeting of the Board of Regents. At this time the Council shall present a report to the Board.

Section 2. Special meetings may be called by the Chairperson and shall be called upon the written request of five (5) members of the Council. The purpose of the meeting shall be stated in the call. The Chairperson shall give at least ten (10) days notice to the members of all meetings except in such cases as the Chairperson shall declare the necessity for an emergency meeting. In the case of an emergency meeting, an attempt shall be made to give all members at least twenty-four (24) hours notice, and the Chairperson shall state the need for the meeting as part of the call.

Section 3. Meetings of the Council for the ensuing year shall be presented and discussed at the September meeting and approved at the November meeting. The calendar year of the Council shall be the academic year proscribed by the University of the State of New York, namely, September to June.

Article VI - Committees

Section 1. Standing or Special Committees, except the Nominating Committee, shall be appointed by the Chairperson as the Council deems necessary. The Chairperson shall be an ex officio member of all committees except the Nominating Committee.

Section 2. At the meeting held in April, a Nominating Committee of three (3) members shall be appointed by the Chairperson. This committee shall bring to the annual meeting in September a slate of officers for the offices to be filled at said September meeting.

Section 3. A Standing Committee, the LSTA (Library Services and Technology Act) Committee, shall be appointed by the Chairperson as the Council deems necessary. The Chairperson shall be an ex officio member of the LSTA Committee. The Chairperson shall appoint from Council members a [chairperson] convener for the LSTA Committee. The Chairperson shall also appoint at least three (3) other members of the Council to serve on the LSTA Committee, one representing each type of library system. The Chairperson may also appoint to the LSTA Committee other experts, for any length of time that the Chairperson deems necessary, after consultation with the State Librarian. The LSTA Committee will advise the Council on issues relating to Federal statute, activities or interests.

Article VII - Parliamentary Authority

The rules contained in the Current edition of "Robert's Rules of Order", Newly Revised, shall govern the Council in all cases to which they are applicable and in which they are not inconsistent with these bylaws, any special rules of order the Council may adopt, or the laws or Constitution of the State of New York.

Article VIII - Amendment of Bylaws

The bylaws may be amended by a majority vote of the Council, subject to approval of the Board of Regents, at a regular or special meeting provided notice of the proposed amendment(s) is provided to Council members with the notice of the meeting.

Adopted: May 11, 1977

Revised: January 22, 1979; May 23, 1991; September 18, 1997; September 11, 2003; July 19, 2010; February 12, 2019