

Chapter 400

**TUCKER FREE LIBRARY**

[HISTORY: Adopted as indicated in text. Amendments noted where applicable.]

**Part 1**  
**Friends of the Tucker Free Library**  
**Revised Constitution**

[Adopted 1-23-1991]

ARTICLE I

Name

The name of this association shall be Friends of the Tucker Free Library.

ARTICLE 2

Purpose

The purpose of the Friends shall be to maintain an association of persons interested in good library service and in books; to increase the facilities and services of the Tucker Free Library; and thus to enrich the cultural opportunities available to the citizens of Henniker.

ARTICLE 3

Membership

All persons interested in the purpose of this association who will pay established dues shall be eligible to membership.

ARTICLE 4

Officers

The officers of this association shall be a Chairman, a Vice-Chairman, a Secretary, and a Treasurer which together shall constitute the Executive Board and shall manage the affairs of the association in the interval between regular and/or special meetings.

ARTICLE 5

Funds and Liability

Section 1. All funds shall be deposited to the account of the Friends of the Tucker Free Library and shall be disbursed by the Treasurer of the Friends as authorized by a majority vote of the officers.

Section 2. No personal liability shall in any event be attached to any member of this association in connection with any of its undertakings.

ARTICLE 6  
Amendments

This constitution may be amended at the annual meeting of this organization, after due notice thereof, by a three-fourths vote of members present.

**Part 2**  
**Policy Manual**  
[Adopted 9-8-1998]

**~ 400-1. General objectives.**

A. To provide for the residents of Henniker a center for information that stimulates the knowledge, wisdom, culture and pure enjoyment of reading and learning.

B. To assemble and administer in organized collections, books and related educational and recreational materials.

C. To operate said library in accordance with the New Hampshire Library Laws and to strive to meet current standards set by the New Hampshire State Library Development System for public libraries in towns with comparable population.

D. To support the American Library Association Bill of Rights and "Freedom to Read" Statement. (Copies available for inspection.)

E. To strive for a well-balanced collection of adult and children's materials, including fiction and nonfiction, a reference collection, periodicals and multimedia, maintaining objectivity in presenting varying points of view.

F. To cooperate with the district school libraries and other libraries within the State Library Development System.

**~ 400-2. Who may use the library.**

A. All residents of Henniker may use the library after meeting registration requirements. Individuals may be required to show proof of residency.

B. A reciprocal agreement, made by the librarians of Tucker Free Library and New England College Library, will be honored subject to review by said librarians.

C. Residents of neighboring towns may become registered patrons upon payment of an annual membership fee of \$50. User privileges shall be the same as for town residents with the exception of the following:

1. Interlibrary loan service including Article Express.
2. Retrieval of database information.
3. Any service requiring library to make toll telephone calls.

D. Library privileges may be denied by the librarian for due cause. Such cause may be failure to return books, failure to pay collection charges, destruction or damage to library property or any objectionable conduct on library premises.

**~ 400-3. Services.**

- A. The library will be open sufficient hours to be in compliance with the requirements of the New Hampshire Library Development System and to adequately meet the needs of the community.
- B. The library staff will use all means at its disposal, i.e. interlibrary loan, referral to the appropriate agencies, to try to obtain information and materials beyond its resources.
- C. All library materials, except for the reference collection, shall be loaned to registered patrons for the designated period of time as stated in the procedures manual approved by the Trustees. Certain unique or fragile items are restricted to use within the building, and in some cases used only under the direct supervision of the Library Director.
- D. Material that is overdue, lost or damaged must be paid for as determined by the Library Director. Failure to do so could result in action being taken in compliance with RSA 202-A:25.

**~ 400-4. Materials collection.**

- A. The ultimate responsibility for selection policy lies with the Board of Trustees. Customarily, the Board of Trustees delegates to the Library Director the authority and responsibility to select library materials for the development of the collection. At the discretion of the Library Director, some selection responsibility may be delegated to other staff.
- B. Materials will be selected through various means, including published reviews in recognized periodicals and newspapers, publisher's preview collections, bibliographies and other professional sources.
- C. Materials will be judged using the applicable guideline of collection needs, literary quality, accurate information, favorable reviews, timeliness and presentation of all points of view concerning issues.
- D. Selection of materials for the adult collection will not be affected by the fact that children may obtain literature their parents consider inappropriate. Ultimate responsibility for the use of reading materials by children rests with their parents or legal guardians.
- E. If a patron objects to an item in the library collection, the objection, with signature, will be requested in writing on a standard form provided by the library. This formal objection will be reviewed at a regular Trustee's meeting, and the patron will receive a written reply.
- F. The collection will be evaluated on a continual basis, and systematic withdrawal of materials will occur. Materials will be discarded when they have been judged to be dated, inaccurate, seldom used, in poor condition or otherwise no longer appropriate.

**~ 400-5. Gifts and memorials.**

- A. Books and other materials will be accepted on the condition that the library has the

authority to make whatever disposition it deems suitable. All materials thus acquired must be designated as a gift. (Loans not acceptable.)

- B. Gifts of money, real property and/or stock will be accepted if the conditions attached thereto are agreeable to the Board of Trustees and in accordance with any applicable laws.
- C. To establish a Memorial Fund, a letter outlining the trust terms and conditions should be submitted to the Board of Trustees for review and acceptance. The donor shall meet with the Library Director to draft the letter.
- D. The library reserves the right not to accept materials.
- E. At each Trustees' meeting, Library Director will present, for Trustee approval, a list of all monetary gifts donated to the library since the last meeting of Trustees.

**~ 400-6. Displays and exhibits.**

- A. A bulletin board will be maintained where official notices of the town and library, announcements of music and drama events, civic programs and similar items may be displayed with the permission of the Library Director.
- B. Election material of any type regarding the election of a candidate, political or otherwise, may not be displayed at the library or on its grounds.
- C. Displays of a noncontroversial nature, i.e./hobbies and artwork, etc., are to be encouraged as long as no sales are generated by their presence. All displays are accepted at the owner's risk.

**~ 400-7. Board of Trustees.**

- A. The Board of Trustees shall consist of five members elected by the citizens of the Town of Henniker. They shall be elected for a term of three overlapping years.
- B. The Chair, Vice Chair, Secretary and Treasurer shall be elected annually by the majority of the vote of the Trustees within one month after the Town Meeting.
- C. Vacancies on the Board shall be filled by the vote of the Selectmen, upon the recommendation of the Trustees, to complete the term until the next Town Meeting, in compliance with RSA 669:75.
- D. The Board shall employ a qualified and competent Library Director.
- E. The Board shall meet at least eight times per year, with the notice of the meetings posted as required by law. The Library Director shall attend all meetings unless excused by the Chair. Trustees are expected to attend at least 80% of the meetings.
- F. The Board and the Library Director shall jointly prepare the annual budget and be ready to answer any questions pertaining thereto at the budget hearings and meeting.
- G. The Board shall be responsible for securing adequate funds to operate the library on a level that fulfills the needs of the Town of Henniker.

- H. Amendments to these policies may be proposed at any regular meeting and shall be made known to members not present and shall be voted at the next meeting.

**~ 400-8. Personnel.**

- A. Hiring. The Library Director shall be hired by the Board of Trustees. All other personnel will be recruited and hired by the Library Director in consultation with the Trustees.
- B. Probationary period. There shall be a probationary period of three months for each new employee. During this time, or at the end of the probationary period, the employee may be discharged without cause.
- C. Definition of full- and part-time employees. An employee shall be considered a full-time employee if he or she works a minimum of 37.5 hours per week for a minimum of 48 weeks per year. Library staff employees who work less than 37.5 hours per week will be considered part-time employees.
- D. Employee benefits.
  - 1. Benefits, defined as health insurance, group life insurance, membership in the New Hampshire retirement system may be granted, at the discretion of the Trustees, to full-time employees. Part-time staff will not be eligible for the above mentioned benefits.
  - 2. Library staff will be allowed to purchase a maximum of 10 books per budget year through the established library acquisitions system, thus receiving the applicable library discount.
- E. Compensation. Employees shall be paid weekly, for the prior week's work, on a schedule in accordance with the town payroll. Compensation shall be reviewed annually and raises shall be retroactive to January 1 of the current year, as long as the individual is still employed in the same capacity by Tucker Free Library when the library's budget is voted on at that year's Annual Town Meeting.
- F. Sick leave. Sick leave is defined as actual illness or bodily injury. Unused sick leave cannot be accumulated from year to year. After six months' continuous service, full-time employees shall receive 10 working days per year. After 6 months' continuous service, part-time employees who work a minimum of 20 hours per week shall receive the following: a maximum of 26 work hours for the remainder of the calendar year and 26 hours beginning each January 1 until December 31.
- G. Vacation.
  - 1. Vacation shall be scheduled with prior approval and at the discretion of the Library Director in accordance with the following table:
    - a. After 1 year continuous service: one paid workweek.
    - b. After 2 years' continuous service: two paid workweeks.
    - c. After 6 years' continuous service: three paid workweeks.
  - 3. Vacation time shall become available upon the anniversary of each employee's hiring date and shall not be accumulated beyond one year

following the year in which it was earned.

- H. Holidays. All library employees with at least 30 calendar days service shall be entitled to the following holidays with pay based on the hours they would normally work that day:

- New Year's Day
- President's Day
- Civil Rights Day
- Memorial Day
- Fourth of July
- Labor Day
- Columbus Day
- Veterans Day
- Thanksgiving Day (or the following day)
- Christmas Day
- Day before or after Christmas

- I. Training and development of staff. Personnel shall be encouraged to participate in library associated meetings. Trustees may direct employees to attend training, provided that expenses and costs are paid for by library. At the discretion of the Trustees, educational courses, including the Public Library Techniques Program, and library related workshops may be paid for by the library. Payment may include mileage, cost of course/actual time in class and any other related expenses. Advance agreement must be obtained from the Trustees.
- J. Performance evaluations. The performance review provides an opportunity to compare performance relative to position requirements and to formulate job goals. Performance evaluations generally will be performed annually and may be more often for new employees. Employees will be given the opportunity to review written evaluations, to discuss evaluations with a supervisor and to respond in writing to the evaluation's contents. The employee will be asked to sign the evaluation to acknowledge its receipt. The evaluation and the employee's comments, if any, will become a part of the employee's personnel file. The Library Director generally will be reviewed by the Board of Trustees annually.
- K. Employee concerns. To promote a spirit of teamwork and to minimize possible difficulties and misunderstandings; employees are encouraged to raise any questions, suggestions or concerns directly with a supervisor. Any such concern should be presented first to the Library Director so the concern can be discussed openly and resolved in a mutually respectful manner. If a concern still exists after meeting with the Library Director or if such a meeting would not adequately address the concern, an employee or the Library Director may contact the Chair of the Board of Trustees to discuss the concern further.
- L. Resignation. The Library Director shall give four weeks' notice to the Board of Trustees in the event of his/her resignation. Other employees shall give two weeks' notice. All resignations shall be submitted in writing. The Trustees reserve the right to pay an employee for the notice period in lieu of the employee working through the notice period. Upon leaving employment, employees must return all library property, including, but not limited to, manual, keys, pass codes and security codes.
- M. Removal and termination. The Library Trustees shall discharge or remove employees upon receipt of evidence constituting malfeasance, misfeasance, inefficiency in office or incapacity or unfitness to perform employee's duties. Prior to such discharge or removal,

the Trustees shall prepare a statement explaining the

grounds for removal or discharge, signed by a majority of the Board. Such notice shall be given to the employee not less than 15 calendar days nor more than 30 calendar days prior to the discharge or removal effective date. Upon receipt of said notice and within 30 calendar days thereafter, but not otherwise, the employee may request a public hearing. If such request is made, the Library Trustees shall hold a public hearing on such discharge or removal. The hearing shall be held not more than 30 calendar days after receipt of the request for the hearing, and if the Trustees, upon due hearing, shall find good cause for the discharge or removal of the employee, they shall order the employee's discharge or removal from office. There shall be no change in salary of such employee during the proceedings for discharge or removal until the final effective date of the order for discharge or removal, in accordance with RSA 202-17.

- N. Review of job description. Library Trustees will review and update position descriptions every three years.
- O. Reimbursement. Library Director will be reimbursed for any expenses incurred on behalf of the library.

**~ 400-9. Smoking policy.**

Smoking is not permitted in all facilities owned or occupied by the library.

**~ 400-10. Leave policies.**

- A. Personal leave. Full-time and part-time employees may request a leave of absence without pay for important personal reasons after using all accumulated vacation and sick time. Requests for personal leave should be submitted in writing to the Library Director. The request should explain the reason for the leave and the period of such leave. All personal leaves must be approved by the Board of Trustees. Personal leave is granted in the library's discretion and, as a general rule, a leave of absence in excess of 12 weeks will not be granted. The library will make every reasonable effort to reinstate the employee to his/her same position or similar position at the end of an authorized personal leave; however, there is no guarantee of reinstatement at the end of such leave. No vacation or sick time will be accumulated during personal leave time. Any payment for benefits to be continued will be paid to the Town of Henniker at least 10 days prior to the remittance date of such benefit payment.
- B. Military leave. Any employee of the library may take military duty or training leave in accordance with the Uniformed Services Employment and Preemployment Rights Act of 1994 (USEPRA) and applicable state law. Military leaves of absences are without pay; however, an employee may use accrued vacation time during such leave. Reinstatement rights will be in accordance with USEPRA.
- C. Jury duty. An employee who is summoned and reports for jury duty, as prescribed by applicable law, shall be paid by the library an amount equal to the regular pay the employee would have received if not called for jury duty. The employee will

reimburse the library for the amount of the daily jury duty or subpoena fee paid by the court or agency (not including travel allowances or reimbursements of expenses) for each day on which she/he otherwise would have been scheduled to work for the library. In order to receive payment, an employee must provide the library proper

notice that she/he has been summoned for jury duty and shall produce satisfactory evidence that she/he reported for or performed jury duty on the days for which she/he claim such payment.

- D. Bereavement leave. Employees will be granted emergency leave with pay not to exceed 3 days when absence is required by the death of a member of the immediate family or member of one's household.

**Part 3**  
**Membership Requirements**  
**[December 1997]**

**~ 400-11. Proof of residency.**

- A. Proof of residency in Henniker is required in order to get a library card without charge. (A non-residency card is available for \$50 per annum.) Any one of the following items is acceptable:
  - 1. A utility bill.
  - 2. A lease for a Henniker residence. The document must state the duration of the lease. The library card will be valid until three weeks prior to expiration of the lease.
  - 3. A rental receipt for a Henniker residence. If the document does not state the duration of the agreement, a card will be issued for a period not to exceed six months.
  - 4. Documents showing purchase of a Henniker residence, i.e. mortgage, warranty deed.
  - 5. Vehicle registration showing a Henniker address.
  - 6. Any proof of residency presently acceptable to the Town Clerk's office.
- B. All documents listed above must contain the name of the applicant and a Henniker street address, along with a post office box number if applicable.

**~ 400-12. Minors and New England College students.**

- A. Patrons over five years and under 18 years of age will be issued a card with parents/guardians signing the applicable form, said parents/guardians to have provided proof of residency.
- B. New England College (NEC) students. Upon showing a current, valid NEC identification card and completing a card application form, an NEC student will be issued a card which will expire approximately two weeks prior to the end of the current semester.

**~ 400-13. User cards.**

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- A. Other than the exceptions previously noted, user cards will have a duration of three years, dated from the last day of the current month.
- B. A fee of \$1 will be charged to replace lost cards.
- C. The initial transaction shall be limited to two items.
- D. Cards must be presented in order to check out materials.