

# Table of Contents

- 1. Library Board of Trustees Roles and Responsibilities**
- 2. Election of Library Board of Trustees**
  - 2.1. Official Tabulation of Votes
  - 2.2. Vacancies on the Library Board of Trustees
  - 2.3. Appointment to a Vacancy
  - 2.4. Calling an Election to Fill a Vacancy
  - 2.5. Failure to Act
  - 2.6. Election
  - 2.7. Candidate Statements for District Elections
  - 2.8. Seating of New Members on the Library Board of Trustees
- 3. Officers**
  - 3.1. Election of Officers
  - 3.2. Vacancies
  - 3.3. Duties of Officers
  - 3.4. Personal and Individual Liability of Trustees
- 4. Library Board of Trustees Committees**
  - 4.1. Standing Committees
  - 4.2. Ad-Hoc Committees
  - 4.3. Special Committees
  - 4.4. Reporting of Committees
- 5. Library Board of Trustees Liaisons**
  - 5.1. Government Relations Liaison
  - 5.2. Friends of the Altadena Library Liaison
  - 5.3. Altadena Library Foundation Liaison
- 6. Library Board of Trustees Representatives**
- 7. Library Board of Trustees Appointments**
  - 7.1. Appointment of District Representatives to Local, Regional, State Committees and Boards
- 8. Library Board of Trustees and Relationship with the District Director**
  - 8.1. Appointment of a District Director
  - 8.2. Temporary Absence of the District Director
  - 8.3. Prolonged Absence of the District Director
  - 8.4. Appointment of an Interim Director
  - 8.5. Administration Leeway in Absence of Board Policy
  - 8.6. Library Board of Trustees Requests of Staff or Legal Counsel
  - 8.7. Evaluation of the District Director
- 9. Library Board of Trustees Expense Reimbursement Policy**
  - 9.1. Applicability
  - 9.2. Authorized Expenses
  - 9.3. Library Board of Trustees Budget Approval for Activity
  - 9.4. Reimbursement Rates and Amounts
  - 9.5. Non-Reimbursable Expenses

- 9.6. Expense Report Content and Submission Deadline
- 9.7. Verification of Expense Reports
- 9.8. Reports to the Public
- 9.9. Compliance with Laws
- 9.10. Violation of this Policy
  
- 10. Training, Education, and Conferences**
  - 10.1. Ethics Training
  - 10.2. Sexual Harassment Training
  - 10.3. Brown Act and Special District Training
  
- 11. Board Meeting Policies**
  - 11.1. Regular Meetings
  - 11.2. Special Meetings
  - 11.3. Emergency Situations
  - 11.4. Teleconferencing
  - 11.5. Closed or Executive Sessions
  - 11.6. Parliamentary Procedure
  - 11.7. Quorum
  - 11.8. Voting
  
- 12. Presenting Matters to the Board of Trustees**
  - 12.1. Agendas
  - 12.2. Order of Business
  - 12.3. Minutes
  - 12.4. Adequate Information to Precede Action
  - 12.5. Trustee Suggestions
  - 12.6. Official Reports
  - 12.7. Guidelines for Addressing the Board of Trustees by Members of the Public
  - 12.8. Agenda Attachments
  
- 13. Correspondence**
  
- 14. Awards and Honors**
  
- 15. Communications**
  - 15.1. Media
  - 15.2. Email and Personal Devices
  - 15.3. Social Media and Online Activity
  
- 16. Regular Policy Reviews**

# **Altadena Library District Board of Trustees Policies and Procedures**

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## **1. Library Board of Trustees Roles and Responsibilities**

The Board of Trustees of the Altadena Library District is an elected, administrative board of five trustees residing and registered to vote within the District, as formed under CA Ed. Code §19600-19734, December, 1926. Their primary task is defining the mission and vision of the Altadena Library District, and guiding and advising the Library Director in the execution of same.

The Board of Trustees leads in strategic planning, and sets the policies that govern the Altadena Library District. It provides financial oversight and ensures a sustainable financial future for the Altadena Library District. It hires the District Director, to whom it delegates management authority. The Board of Trustees holds the Director accountable through a formal evaluation process.

The Board of Trustees represents and advocates for the Altadena Library District in the community.

The Board of Trustees holds authority only as an aggregate body, not as individual trustees, and works to maintain a unity of purpose among its members as they work in the best interests of the Altadena Library District and the community of Altadena.

As a publicly elected body administering a special district, the Board of Trustees complies with and ensures that the Altadena Library District complies with all legal requirements and ethical standards, and strives to ensure an open and transparent process of governance.

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## **2. Election of Library Board of Trustees**

The Board of Trustees consists of five members elected at large from the District, and who serve without pay for four-year staggered terms. Elections are held biennially in even numbered years on the same day as state general elections, the first Tuesday after the first Monday in November. Pursuant to Education Code §19700, Trustees take office the first Friday in December succeeding their election.

### **2.1. Official Tabulation of Votes**

The official tabulation of votes in a Trustee election, furnished by the Registrar-Recorder of Los Angeles County, shall be recorded in the minutes of the next Board meeting following an election (or upon receipt).

### **2.2. Vacancies on the Library Board of Trustees**

If a vacancy should occur on the Library Board of Trustees based on any of the prescribed events contemplated by Gov. Code §1770 occurring before the expiration of a term of office, the District shall notify the county elections official of the vacancy no later than 15 days following either the date on which the district board is notified of the vacancy, or the effective date of the vacancy, whichever is later. The remaining Trustees shall fill that vacancy within 60 days of the date on which the district board is notified of the vacancy, or the effective date of the vacancy, whichever is later (Gov. Code §1780(d)(1)-(e)(1)), either by appointing a new Trustee or by calling an election at the next established election date. Any

individual appointed to a vacancy on the Library Board of Trustees by any means shall assume his or her office at the next regular meeting of the Board.

### **2.3. Appointment to a Vacancy**

If the Board of Trustees decided to appoint someone to fill the vacancy, a notice of said vacancy must be posted in three or more conspicuous places in the district (including the Main Library and the Branch Library), as well as on the District's website, at least 15 days before the appointment is made. The District must then notify the county elections official of the appointment no later than 15 days after the appointment is made, and that appointee shall fill the vacancy under whichever of the following two scenarios applies (Gov. Code §1780(d)(2)):

- A. If the vacancy occurs in the first half of a term of office and at least 130 days prior to the next general district election, the person appointed to fill the vacancy shall hold office until the next general district election that is scheduled 130 or more days after the date the district board is notified of the vacancy, and until the person who is elected at that election to fill the vacancy has been qualified. The person elected to fill the vacancy shall hold office for the unexpired balance of the term of office.
- B. If the vacancy occurs in the first half of a term of office, but less than 130 days prior to the next general district election, or if the vacancy occurs in the second half of a term of office, the person appointed to fill the vacancy shall fill the balance of the unexpired term of office.

### **2.4. Calling an Election to Fill a Vacancy**

In lieu of making an appointment, the remaining members of the Board may within 60 days of the date they are notified of the vacancy or the effective date of the vacancy (whichever is later), call an election to fill the vacancy. The election shall be held on the next established election date that is 130 or more days after the date the District Board calls the election (Gov. Code §1780(e)(2)). Established election dates are defined by Elections Code §1000.

### **2.5. Failure to Act**

If the vacancy is not filled by the Board either via making an appointment or calling a special election within 60 days, then between 60 and 90 days, the Los Angeles County Board of Supervisors may fill the vacancy either by appointing a new Library Trustee or by ordering the District to call an election. The election shall be held on the next established election date that is 130 or more days after the date the Board of Supervisors orders the election.

If the number of remaining members of the Board falls below a quorum, then at the request of the district secretary or a remaining Board Member, the Board of Supervisors may waive the 60 day period during which the Board is allowed to take action (but would be unable to act due to the lack of quorum), and the Board may either appoint immediately to fill the vacancy, or may call an election to fill the vacancy. The election shall be held on the next established election date that is 130 or more days after the date the Board of Supervisors calls the election. The Board of Supervisors shall fill only enough vacancies to provide the Board of Trustees with a quorum.

If within 90 days of the date the Board of Trustees is notified of the vacancy or the effective date of the vacancy (whichever is later), no action has been taken by any governing body to fill the vacancy either by appointment or by calling for a special election, the Altadena Library District must call an election to fill

the vacancy (Gov. Code §1780(g)(1)). The election shall be held on the next established election date that is 130 or more days after the date the District Board calls the election.

## **2.6. Election**

A person elected at a regular board member election or appointed in-lieu of election takes office at noon on the first Friday in December following his or her election in November (odd years) and at noon on the first Monday after January 1st following the election (even years) and shall serve for four years.

## **2.7. Candidate Statements for District Elections**

The District requires payment to the County of Los Angeles in advance of each candidate's *pro rata* share of the printing, handling, and mailing costs of the candidate's statement included in the voter's sample ballot pamphlet. If the actual cost exceeds the estimate, the District will bill each candidate for the coverage after the election. The maximum word limitation for the candidate's statement is 200 words. The county shall bill any candidate for District office for the actual prorated costs of printing, handling, and translating his statement of qualifications contained in the voter's pamphlet accompanying the sample ballot (Public Resources Code §9546).

## **2.8. Seating of New Members on the Library Board of Trustees**

The presiding officer (or his/her designee) will conduct a brief ceremony at the first meeting of the Library Board of Trustees at which newly elected or newly appointed members of the Board assume office. The ceremony will consist of the newly elected or newly appointed Trustee affirming an oath of allegiance, as written below:

*I, \_\_\_\_\_ [name], do solemnly swear (or affirm) that I will support and defend the Constitution of the United States, and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.*

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## **3. Officers**

At the Board's first regular meeting called after the last Friday in November, the Board shall elect its President and Secretary for one year terms (Education Code §19424).

### **3.1. Election of Officers**

The Library Board of Trustees elects officers at its regular board meeting called after the last Friday in November from among its members, effective immediately. The officers remain in office for a term of one year or until their successors are duly elected.

### **3.2. Vacancies**

A resignation, death, or other cause creating a vacancy in one of the offices shall be filled by a majority vote of the Board at the next regular meeting. The term of office shall be for the unexpired term.

### **3.3. Duties of Officers**

#### **A. President**

1. Chairs all Library Board of Trustees meetings;
2. Carries out necessary duties as prescribed by law;
3. Works closely with the District Director (or his or her designee(s)) to facilitate effective communication among the Board of Trustees and the community;
4. Works closely with the Director in preparing the agenda for all Board of Trustees meetings;
5. Shall sign, with the Secretary, all official documents implementing Board action;
6. Appoints Standing Committees (including a chair of each committee), Board Liaisons, and may create Special Committees or Ad-Hoc Committees to perform a specific task; with all appointees requiring an approval by a majority of the Board of Trustees;
7. Shall be an ex-officio member of all Standing Committees;
8. Represents the District in official functions, or designates a representative;
9. Shall be (or shall designate) the official spokesperson for Board of Trustees actions;

#### **B. Secretary**

1. Assumes the duties of the President in the absence of the President or in the event that s/he must vacate the chair during the course of a meeting;
2. Presides at all regular and special meetings in the absence of the President;
3. Certifies all District documents as may be required by law, and signs, with the President, all official documents implementing Board action; and
4. Carries out other duties as prescribed by law.

### **3.4 Personal and Individual Liability of Trustees**

The District should include in its standard insurance policy a Directors & Officers Liability insurance policy, such that Board members are not at risk of joint and several liability for actions taken in the proper exercise of their official duties to the extent permitted by law.

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## **4. Library Board of Trustees Committees**

Board Committees are constituted to facilitate the effectiveness of the Library Board of Trustees within the powers and authority delegated by the Board as a whole. The creation of committees is discretionary

and the President, subject to a majority vote of the Board, may appoint committees at any time, and shall designate the chair of each committee.

The Board may appoint community members and/or staff to serve on committees. A public statement may be issued asking for volunteers to serve on a committee, if appropriate. Members of the community wishing to serve on the committee shall submit a statement of interest or resume to the Chair of the committee for consideration, and the Chair shall submit a recommendation to the full Board for approval by a simple majority.

Staff may participate in committees in two fashions:

- A. The District Director may forward staff recommendations to the Chair of the committee for membership as s/he sees appropriate, and those recommendations shall be submitted by the Chair to the full Board for approval by a simple majority; or
- B. Members of staff may, of their own volition, submit themselves for membership on a committee as members of the community, but it shall be understood that they are not participating in their role as a District employee nor are they representative of the viewpoints or perspective of the institution nor shall they be paid for their time.

In establishing committees, the Board will comply with all relevant legislation, including the Ralph M. Brown Act.

#### **4.1. Standing Committees**

Standing Committees may be appointed by the Board to deal with a special area of interest for an unspecified duration. No more than two members of the Board shall sit on any standing committee. Standing committees may or may not include other members, including staff or members of the public, and shall have a continuing subject matter and a fixed meeting schedule. All standing committees must operate within the confines of the Ralph M. Brown Act, which dictates that meetings shall be held in a suitable location, be open to the public, have an agenda posted at least 72 hours prior to the meeting, and that items from the public will be heard if they are within the subject-matter jurisdiction of that committee.

#### **4.2. Ad-Hoc Committees**

Ad-hoc Committees may be created by the Board or the President (with concurrence from the Board) at any time to perform a specific task. Membership of an ad-hoc committee is limited to less than a quorum, *i.e.*, two members of the Board, and shall be comprised exclusively of Board members (no additional members are permitted). Thus composed, a less than quorum ad-hoc committee is not subject to the constraints of the Brown Act (although it is perfectly free to operate according to them should it wish) (Gov. Code §54952(b)). At its creation, the committee shall be given a specific charge, a timeframe for completion of that charge, a designation of the composition of membership (either less than quorum ad-hoc or special), a full description of the functions to be discharged, and the authority that the committee will have. Ad-hoc committees are automatically dissolved no later than twelve months following their creation, and may be reconstituted after a new slate of Board officers are elected in December.

#### **4.3. Special Committees**

Special Committees may be created by the Board or by the President (with concurrence from the Board) at any time to perform a specific task. Membership of a special committee may be composed exclusively of trustees (provided that it is more than a quorum; *i.e.*, three or more trustees), or may be composed of

trustees, staff, members of the community, or any combination of the aforementioned. Special committee meetings, since they are a legislative body, must be held in accordance with the Ralph M. Brown Act, whose constraints apply to all committee members.

#### **4.4. Reporting of Committees**

The Chair of each committee shall provide a comprehensive (written or oral) report to the Library Board of Trustees at the regular meeting following each committee meeting. A written report is recommended.

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### **5. Library Board of Trustees Liaisons**

The Board President may appoint designated liaisons between the Board and appropriate Library support groups and/or other governing bodies as applicable. Appointments shall be made by the Board President with the concurrence of a majority of the Board.

Each liaison will provide the Board with a comprehensive (written or oral) report of activities at the regular Board meeting immediately following any relevant activity, including recommendations for Board actions when appropriate.

#### **5.1. Government Relations Liaison**

The Government Relations Liaison shall:

- A. Monitor current legislative activity at city, county, state, and federal levels that would impact the Altadena Library District;
- B. Provide information to the Board of Trustees regarding legislative issues and their impact on the Altadena Library District;
- C. After consultation with the Board, contact legislators, as appropriate, to advocate for the Altadena Library District's position on individual legislative issues; and
- D. Attend legislative days in Sacramento representing the Altadena Library District.

#### **5.2. Friends of the Altadena Library Liaison**

The Friends of the Altadena Library Liaison shall:

- A. Attend meetings of the Friends of the Altadena Library;
- B. Represent the Board of Trustees at those meetings; and
- C. Provide context to the Board about any relevant information, activity, or recommended Board action.

#### **5.3. Altadena Library Foundation Liaison**

The Altadena Library Foundation Liaison shall:

- A. Attend meetings of the Altadena Library Foundation Board;



- B. Represent the Board of Trustees at those meetings; and
  - C. Provide context to the Board about any relevant information, activity, or recommended Board action.
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## **6. Library Board of Trustees Representatives**

From time to time, the Board of Trustees may appoint from its members a representative to professional or community-wide committees or organizations to represent the unique interests of the Altadena Library District. Such appointments must be made in compliance with state law.

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## **7. Library Board of Trustees Appointments**

The Board of Trustees may call upon members of the community to represent the Altadena Library District as needed with appointments to local, state, or regional boards or committees as a delegate from the Altadena Library District.

### **7.1. Appointment of District Representatives to Local, Regional, State Committees and Boards**

When local, state, or regional committees or boards request a community member as a delegate from the Altadena Library District, the Board directs the District Director to recruit and suggest for appointment such community members. The District Director will submit these recommended appointees, including position and length of term, to the Board of Trustees for approval at a regular meeting.

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## **8. Library Board of Trustees and Relationship with the District Director**

The Board of Trustees determines the strategic direction and operating policies of the Altadena Library District, and delegates their implementation to the District Director. Moreover, the Board appropriates all monies to be expended via the approved budget, and works closely with the Director to ensure a well-run library district which fulfills the needs of the community.

While the Board retains authority under the law to conduct all library business, it shall be Board policy to delegate responsibility for the operation of the library to the District Director, and to endorse his/her policies and practices, as long as they continue in the library's best interest.

It is the District Director's responsibility to keep the Board informed of library activities, and to make recommendations for Board action in all matters as required by law.

### **8.1. Appointment of a District Director**

The District Director shall be appointed at a regular meeting from a list of qualified candidates as the result of an open competitive oral and written process. No fewer than four Trustees must be present in a closed session meeting when each applicant is being interviewed for final selection. An applicant must receive at least three affirmative votes from the Board of Trustees to be appointed District Director, which must be announced in compliance with the Ralph M. Brown Act.

## **8.2. Temporary Absence of the District Director**

In the temporary absence of the District Director, the District Director shall appoint a qualified current librarian on staff to serve as Acting Director, without additional compensation. A temporary absence shall be understood to consist of 10 consecutive business days, wherein the Acting Director shall assume the full range of duties and responsibilities. If the District Director is temporarily incapacitated and unable to appoint an Acting Director, the Board of Trustees shall appoint an Acting District Director by majority vote.

## **8.3. Prolonged Absence of the District Director**

In the case of the prolonged absence, which shall be understood to be longer than the above defined temporary absence, the Board of Trustees shall immediately appoint an Acting District Director and establish appropriate compensation.

## **8.4. Appointment of an Interim Director**

In the case of the resignation, death, or dismissal of the District Director, the Board of Trustees shall immediately appoint an Interim District Director and establish appropriate compensation.

## **8.5. Administration Leeway in Absence of Board Policy**

In situations arising where there are no policies or guidelines for administrative action, the Director shall have the power to act in compliance with State law and in consultation with General Counsel, as necessary; however, the Director's actions shall be subject to review and action by the Board of Trustees at its next regular meeting. It shall be the duty of the Director to immediately inform the Board of such situations, and of the need for policy.

## **8.6. Library Board of Trustees Requests of Staff or Legal Counsel**

The Director shall be the line of official communication between the Board and all District personnel, including contractors, vendors, legal counsel, and volunteers. Except for the purpose of inquiry and unless there is reasonable cause to do otherwise, the Board of Trustees shall provide direction to District personnel through the District Director, in compliance with all applicable open meeting and transparency State laws. Neither the Board nor its members shall attempt to influence or to direct any subordinates of the Director.

The Director may, from time to time, assign specific members of the staff or request legal counsel to work directly with a Board member, a Board committee, or on a Board project.

## **8.7. Evaluation of the District Director**

The District Director shall, upon his or her appointment, have a probationary period of 12 months. A series of preliminary evaluations shall take place at three and six months with the Board of Trustees, with a final evaluation and determination upon passage of probation at one year. Thereafter, the Board shall undertake a formal evaluation of the Director annually, and may, at their discretion, undertake a special evaluation, if such a special evaluation is approved with the vote of a majority of the Board. All formal evaluation processes must be conducted in compliance with the Ralph M. Brown Act.

## **9. Library Board of Trustees Expense Reimbursement Policy**

The purpose of this policy is to (1) define the types of meetings, conferences, and other activities for which a Library Trustee may receive reimbursement from the District for actual and necessary expenses incurred in attending such meetings, conferences, or activities; and (2) to provide the rate or rates of reimbursement for travel, meals, lodging, and other actual or necessary expenses incurred by Library Trustees in attending those meetings, conferences, and activities; and (3) to provide the procedures and other requirements for seeking reimbursement from the District for those expenses.

This policy is intended to comply with the requirements of Government Code §53232-53232.4.

### **9.1. Applicability**

This policy applies only to members of the Board of Trustees. Reimbursement for expenses to the District Director and to employees of the Altadena Library District shall be governed by the District's personnel rules and policies.

### **9.2. Authorized Expenses**

A Library Trustee is eligible to receive reimbursement for travel, meals, lodging and other and necessary expenses incurred in attending the following meetings, events and activities, provided the attendance is approved by the Board of Trustees, and includes (but is not limited to) the following categories:

- A. **Conferences, Meetings and Workshops**  
Attendance at conferences, meetings and workshops of regional, state and national organizations whose activities benefit or affect the District's activities or interests;
- B. **Special Projects**  
Attendance at conferences and meetings regarding special library projects;
- C. **Community Activity or Visibility**  
Attendance at community sponsored functions, where the presence of a representative is requested or important;
- D. **Legislative Activity and Meetings with Local, Regional, State or National Officials**  
Attendance at meetings with local, regional, state or national officials on legislative issues or District policy or program issues; and
- E. **Ethics, Harassment, Brown Act, or Special District Training**  
Attendance at a conference, meeting, workshop or organized educational activity conducted in compliance with Government Code §54952.2(c), including but not limited to ethics training required by Government Code §53234.
- F. **Educational Conferences and Professional Meetings (as outlined in §10 of this policy).**

Event categories not subject to reimbursement, and which will not receive Board approval, include social events, District-sponsored employee events, festival and holiday events, and meetings of political organizations.

### **9.3. Library Board of Trustees Budget Approval for Activity**

A budget for attendance by a member of the Board at eligible meetings or events as described in Section 9.2 of this policy will be established as a line item in the District's budget. Adoption of the budget by the Board of Trustees will constitute prior approval of such expenses provided the total expenditures do not exceed the approved budget. Expenses which exceed the approved budget must be approved by the Board before they are incurred.

### **9.4. Reimbursement Rates and Amounts**

#### **A. Transportation**

The most economical mode and class of transportation reasonably consistent with scheduling needs, the Trustee's time constraints, and cargo space requirements must be used, using the most direct and time-efficient route. Charges for rental vehicles may be reimbursed under this provision if more than one District official is attending an out of town conference, and it is determined that sharing a rental vehicle is more economical than other forms of transportation. In making such determination, the cost of the rental vehicle, parking and gasoline will be compared to the combined cost of such other forms of transportation. Government and group rates must be used when available.

1. **Airfare.** Airfares that are equal or less than those available through the Enhanced Local Government Airfare Program offered by the State of California shall be, in most normal circumstances, presumed to be the most economical and reasonable for purposes of reimbursement under this policy. The Board recognizes and acknowledges that such airfares are not always practicable or available in certain limited circumstances, and finds that higher airfares may be appropriate in individual cases.
2. **Automobile.** Automobile mileage shall be reimbursed at Internal Revenue Service rates presently in effect (see <http://www.irs.gov/>). These rates are designed to compensate the driver for gasoline, insurance, maintenance, and other expenses associated with operating the vehicle. This amount does not include bridge and road tolls, which are also reimbursable. The Internal Revenue Service rates will not be paid for rental vehicles; only receipted fuel expenses will be reimbursed. Mileage for travel to meetings, conferences, and activities with a ten-mile radius shall not be reimbursed by the District.
3. **Car Rental.** Rental rates that are equal or less than those available through the State of California's website (<http://www.catravelmart.com/default.htm>) shall be considered the most economical and reasonable for purposes of reimbursement under this policy.
4. **Taxis/Ride-Share/Shuttles.** Taxi, ride-sharing, or shuttle fares may be reimbursed, including a 15% gratuity per fare, when the cost of such fare is equal or less than the cost of car rentals, gasoline and parking combined, or when such transportation is necessary for time-efficiency.

#### **B. Lodging**

Lodging expenses will be reimbursed or paid for when travel on official District business reasonably requires an overnight stay.

1. **Conferences/Meetings.** If such lodging is in connection with a conference, lodging expenses must not exceed the group rate published by the conference sponsor for the meeting in question if such rates are available at the time of booking. If the group rate is not available, see subparagraph 2 below.

2. **Other Lodging.** Travelers must request government lodging rates, when available. A listing of hotels offering government rates in different areas is available at <http://www.catravelsmart.com/lodguideframes.htm>. Lodging rates that are equal or less than government rates are presumed to be reasonable and hence reimbursable for purposes of this policy. In the event that government rates are not available at a given time or in a given area, lodging rates that do not exceed the median retail price for lodging for that area listed on websites like [www.hotels.com](http://www.hotels.com), [www.expedia.com](http://www.expedia.com), or an equivalent service shall be considered reasonable and hence reimbursable if, given the circumstances of the travel, such comparable rates can be found. In unique circumstances, the District Director may approve the reimbursement of reasonable lodging costs that exceed the two standards above, if necessary under the particular circumstances.

**C. Meals**

Trustees shall, when available, take meals that are provided as part of a seminar or conference registration fee. Reimbursable meal expenses and associated gratuities shall not exceed \$60 per day.

**D. Telephone/Fax/Cellular**

Trustees will be reimbursed for all actual telephone and fax expenses incurred for Altadena Library District business. Telephone bills should identify which calls were made on Altadena Library District business.

**E. Internet**

On out-of-town trips, Trustees will be reimbursed for Internet access connection and/or usage fees away from home, not to exceed \$15 per day, if Internet access is necessary for Altadena Library District related business.

**F. Airport and Other Parking Charges**

The Altadena Library District will reimburse parking costs based on actual costs or the equivalent of long-term parking rates used for travel exceeding 24 hours.

**G. Other**

Baggage handling fees and reasonable gratuities will be reimbursed. Expenses for which Trustees receive reimbursement from another agency are not reimbursable. Any and all expenses that do not fall within the adopted reimbursement policy are required to be approved by the Library Board of Trustees in a public meeting prior to the expense(s) being incurred.

**9.5. Non-Reimbursable Expenses**

Examples of personal expenses for which the Altadena Library District will not reimburse a Trustee include, but are not limited to:

- The personal portion of any trip;
- Political or charitable contributions;

- Family expenses, including partner’s expenses when accompanying an official on agency-related business, as well as children or pet-related expenses;
- Entertainment expenses, including theater, movies (either in-room or at the theater), recreational events not related to Altadena Library District business (including gym or massage expenses), cultural events not related to Altadena Library District business;
- Non-mileage personal automobile expenses, including repairs, traffic citations, insurance or gasoline;
- Personal losses incurred while on Altadena Library District business; and
- Personal alcohol or bar expenses.

#### **9.6. Expense Report Content and Submission Deadline**

All expense reimbursement requests must be submitted on an expense report form provided by the Altadena Library District. This form shall include the following advisory:

*“All expenses reported on this form must comply with the Altadena Library District’s policies relating to expenses and use of public resources. The information submitted on this form is a public record. Penalties for misusing public resources and violating the Altadena Library District’s policies may include loss of reimbursement privileges, restitution, civil and criminal penalties as well as additional income tax liability.”*

Expense reports must document that the expense in question met the requirements of this policy. Except as required sooner by this policy, Trustees must submit their expense reports within 30 calendar days of an expense being incurred, accompanied by receipts documenting each expense. Restaurant receipts, in addition to any credit card receipts, are also part of the necessary documentation. The inability to provide such documentation in a timely fashion may result in the expense being borne by the Trustee.

#### **9.7. Verification of Expense Reports**

Trustees shall submit their reimbursement forms to the District Director for review, final approval and payment. Included on the reimbursement form will be an explanation of the Altadena Library District-related purpose for the expenditure(s), and receipts evidencing each expense shall be attached.

The District Director shall review and approve all reimbursement requests. The District Director may request additional documentation or explanation of individual expenditures for which reimbursement is requested by the Trustee. Expenses that do not adhere to the adopted reimbursement policy and that do not receive approval from the Board of Trustees in accordance with the above policies prior to the expense being incurred shall not be eligible for reimbursement.

#### **9.8. Reports to the Public**

At the next subsequent regular Board meeting, each member shall briefly report, orally or in writing, on all meetings attended at District expense. If multiple members of the Board of Trustees attended an event, a joint report or individual report on behalf of all attendees may be made.

#### **9.9. Compliance with Laws**

Trustees should keep in mind that some expenditures could be subject to reporting under the Political Reform Act and other laws. Records of all District expenditures and documentation regarding expense reimbursements are public records subject to disclosure under the Public Records Act, subject to any applicable exemptions.

### **9.10. Violation of this Policy**

Use of public resources or falsifying expense reports in violation of this policy may result in any or all of the following: (1) loss of reimbursement privileges, (2) a demand for restitution to the Altadena Library District, (3) the Altadena Library District reporting the expenses as income to the Trustee to state and federal tax authorities, (4) civil penalties pursuant with California state law, or (5) prosecution for misuse of public resources (Penal Code §424).

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## **10. Training, Education, and Conferences**

Trustees are encouraged to attend educational conferences and professional meetings when the purposes of such activities are to improve Board and/or District operations. Attendance at such educational conference and professional meetings are considered a part of an official's performance of their official duties for the Altadena Library District. There is no limit as to the number of Trustees attending a particular conference or seminar when it is apparent that their attendance is beneficial to the Library District. "Junkets" (a tour or journey for pleasure at public expense), however, will not be permitted.

It is the policy of Altadena Library District to encourage board development and excellence of performance by reimbursing expenses incurred for tuition, travel, lodging and meals as a result of training, educational courses, participation with professional organizations, and attendance at local, state and national conferences associated with interests of the Altadena Library District. Cash advances are not permitted. All reimbursement of actual and necessary expenses shall be pursuant to the policies outlined in previous sections.

A Trustee shall not attend a conference or training event for which there is an expense to the Library District if it occurs after they have announced their pending resignation, or if it occurs after the election in which it has been determined that they will not retain their seat on the Board. A Trustee shall not attend a conference or training event when it is apparent that there is no significant benefit to the Altadena Library District.

Upon returning from seminars, workshops, conferences, etc., where expenses are reimbursed by the Altadena Library District, the Trustees shall either prepare a written report for distribution to the Board, or make a verbal report during the next regular meeting of the Board. The report shall detail what was learned at the session(s) that will be of benefit to the District. Materials from the session(s) may be delivered to the District Director to be included in the library for the future use of other staff.

The Library must provide information on available training to the Board at least once a year.

### **10.1. Ethics Training**

All Trustees and the District Director shall receive two hours of training in general ethics principles and ethic laws relevant to public service within one year of election or appointment to the Library Board of Trustees, and at least once every two years thereafter, pursuant to Government Code §§53234-53235.2.

This policy shall also apply to all staff members that the Board of Trustees designates and to members of all commissions, committees and other bodies operating subject to the Ralph M. Brown Act who receive any type of compensation, salary, or stipend or reimbursement for actual and necessary expenses incurred in the performance of official duties.

Trustees and the District Director shall obtain proof of participation after completing the ethics training. Altadena Library District staff shall maintain records indicating both the dates that the District Director and Trustees completed the ethics training and the name of the entity that provided the training. These records shall be maintained for at least five years after the District Director and the Board of Trustees receive training, and are public records subject to disclosure under the California Public Records Act. Altadena Library District staff shall provide the District Director and Board of Trustees with information on available training that meets the ethics training requirements of this policy at least once every year.

Ethics training may consist of either a training course or a set of self-study materials with tests, and may be taken from home, in person or online. Any Trustee that serves on the board of another agency is only required to take the training once every two years.

## **10.2. Sexual Harassment Prevention Training**

Government Code §§53237-53237.5 requires each local agency official to receive sexual harassment prevention training. Trustees shall receive at least two hours of sexual harassment prevention training and education within the first six months of taking office, and every two years thereafter. Any entity which provides training must also provide the participants with proof of participation, and the Library shall maintain records for at least five years detailing the dates on which Trustees fulfilled said training, as well as the entity that provided it.

## **10.3. Brown Act & Special District Training**

Trustees are encouraged within their first six months of tenure on the Board to take advantage of free training from CSDA, the Los Angeles District Attorney's office, or other similar agencies, on board member best practices, the Brown Act, and other issues and concerns applicable to the Altadena Library District.

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## **11. Board Meetings**

### **11.1. Regular Meetings**

Regular meetings of the Altadena Library District Board of Trustees are generally held the fourth Monday of each month in one of Altadena Library District libraries. The schedule of dates and locations of Board meetings for the next year is determined at the regular November or December meeting of the prior year, although the schedule and location may be modified by Board action, if appropriate.

All meetings are subject to the Ralph M. Brown Act. The Altadena Library District shall post the agenda for its regular meeting at least 72 hours prior to the meeting.

### **11.2. Special Meetings**

Pursuant to the provisions of Government Code §54956, Special Meetings of the Board of Trustees may be called by or at the direction of the President.

A special meeting may also be called by a majority of Board members, by written notices served upon each member of the Board at least 12 hours before the time specified for the meeting (Ed. Code §19429). Once such a special meeting is called by a majority of Board members, written notice must also be delivered to any newspaper, radio station, or television station that has requested such notice (Gov. Code §54956(a)). The call and notice shall specify the time and place of the special meeting and the business to



be transacted. Non-agenda items shall not be considered or discussed at such meetings. Special Meetings must be open to the public.

### **11.3. Emergency Situations**

In the case of an emergency situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of Library District facilities, the Board may hold an emergency meeting without complying with the 24 hour notice requirement of this section.

For the purposes of this situation, “emergency situation” can be understood to mean any of the following:

- A. Work stoppage of other activity which severely impairs public health, safety, or both, as determined by a majority of the members of the Board;
- B. A dire emergency, which shall be defined as a crippling disaster, mass destruction, terrorist act, or threatened terrorist activity that poses peril so immediate and significant that requiring a legislative body to provide one-hour notice before holding an emergency meeting may endanger the public health, safety, or both, as determined by a majority of members of the Board (Gov. Code §54956(a)(2)).

However, any local newspaper of general circulation and radio or television station which has requested notice of special meetings pursuant to Government Code §54956 shall be notified by the presiding officer of the Board, or designee thereof, one hour prior to the emergency meeting by telephone.

In the event that telephone services are not functioning, the notice requirements of this section shall be deemed waived, and all reasonable efforts shall be made to notify those media outlets of the holding of the emergency meeting, the purpose of the meeting, and any action taken at the meeting as soon after the meeting as possible.

Should a closed session be necessary under the closed session provisions set forth in Gov. Code §54957,

Notwithstanding emergency closed session provisions as set forth in Government Code §54957, the Board shall not meet in closed session during a meeting called pursuant to this section.

All special meeting requirements, as prescribed above, shall be applicable to a meeting called pursuant to this section, save for the 24 hour notice requirement. The minutes of a meeting called pursuant to this section, a list of persons whom the presiding officer (or designee of the Board) notified or attempted to notify, a copy of the roll call vote, and any actions taken at the meeting shall be posted for a minimum of 10 days in a public place as soon after the meeting as possible.

### **11.4. Teleconferencing**

As per Gov. Code §54953, teleconferencing - meaning the connection of members of the Board of Trustees by electronic means, either through audio or video or both - may be used for the benefit of the public and the District in connection with any meeting or proceeding authorized by law. It may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the Board of Trustees. All votes taken during a teleconferenced meeting shall be by roll call. The following practices must be observed:

- A. No action shall be taken by secret ballot, whether preliminary or final.
- B. The Board shall publicly report any action taken and the vote or abstention on that action

of each member present for the action.

- C. At least a quorum of Trustees must be within the District at the time of the teleconferenced meeting (although they may teleconference from locations within the District).
- D. Agendas shall be posted at all teleconference locations, and each teleconference location shall be identified in the notice and agenda of the meeting, and shall be accessible to the public. The agenda shall provide an opportunity for members of the public to address the Board of Trustees directly at each teleconference location.

### **11.5 Closed or Executive Sessions**

The Ralph M. Brown Act allows private executive sessions, or closed sessions, for discussion of anticipated and initiated litigation, certain personnel matters and public employment, and labor and real estate negotiations. The Meyers-Milias-Brown Act also allows executive sessions for discussion of matters related to recognized employee organizations. A member of the Board of Trustees may participate in the discussion via telephone and may vote (by roll call) if needed under the provisions set forth above for teleconferencing. If he/she is within the territorial limits of the agency, that member may be counted toward the quorum, but if he/she is outside the territorial limits of the agency, that member may participate in discussion and vote (by roll call), but may not be counted as part of the quorum. These sessions require the same notice as Special Meetings.

### **11.6 Parliamentary Procedure**

*Robert's Rules of Order* (most current edition) shall govern the parliamentary procedures of the Board of Trustees, with two exceptions:

- A. A Trustee proposing a motion may speak briefly on behalf of the proposal prior to making the formal motion. However, there shall be no further debate or discussion until the motion is properly made and seconded.
- B. While the president must vacate the chair prior to making or seconding a motion (e.g. shall pass the gavel to the Secretary), in all other matters the officers shall be considered equal in privilege and responsibility to one another. They shall be encouraged to participate in debate and discussion and to vote on all matters brought before the Board.

The steps based on *Robert's* for a motion presented to the Board of Trustees are as follows:

- A member is recognized by the Chair;
- That member makes a motion;
- The motion is seconded by another member;
- The motion may be restated by the Chair at his/her discretion or at the request of any member;
- Discussion of the motion
- A vote is taken, and ayes, nays, and abstentions are recorded; and
- The Chair announces the results of the vote and what action shall be taken.

### **11.7 Quorum**

A quorum consists of three members of the Board of Trustees. An affirmative vote by a majority of the members present and voting is required to approve any action. The Chair shall, after calling the meeting

to order, recognize the arrival or departure of any member of the Board of Trustees before adjournment. This information shall be included in the minutes of that meeting.

### **11.8. Voting**

All measures shall be passed by a majority of those present and voting. Voting shall be by voice and hand vote unless a member specifically requests a roll call vote, or when a roll call vote is mandated by State law.

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## **12. Presenting Matters to the Board of Trustees**

### **12.1. Agendas**

- A. Every staff member and committee member of the Altadena Library District, and every citizen, individual, corporation, committee, or civic group having reports, communications, proclamations, resolutions or any other matter of business to be presented at a regular meeting, shall notify the District Director of the fact in writing at least 10 business days prior to the date of that meeting. The District Director and the President of the Board of Trustees shall determine which of such items are to be placed on a future agenda as matter directly related to Altadena Library District business.
- B. All items requested to be placed on an agenda by a member of the Board of Trustees shall appear on the agenda, with a brief general description of the item for inclusion in the agenda.
- C. The District Director shall work closely with the Board President to prepare the agenda. The District Director shall deliver to members of the Board a complete copy of such agenda not later than 72 hours preceding a regular meeting, and 24 hours preceding a special meeting. The agenda shall be prominently displayed at the Board of Trustees meeting, and shall be made publicly available on the District's website in compliance with the Brown Act. The agenda shall contain a brief, general description of each item of business to be transacted or discussed at the meeting. The agenda shall specify the time and location of the meeting and a copy thereof shall be posted on a business day at least 72 hours before any regular meeting in a location that is freely accessible to members of the public and designated by the Board of Trustees.
- C. Each agenda item must be marked ACTION and/or INFORMATIONAL. No matters other than those on the agenda shall be acted upon by the Board of Trustees; provided, however, that the Board of Trustees may take action on a matter not appearing on the posted agenda upon a determination by a majority vote that an emergency situation exists, as defined in Government Code§54956.5.
- D. No action will be taken on agenda items for which there are District-generated or District-provided review attachments unless the attachments have been provided to each member of the Board of Trustees at least 24 hours prior to the Board of Trustees meeting. Documents which are public records and which are distributed during a public meeting shall be made available for public inspection at the meeting if prepared by the Altadena Library District or after the meeting if prepared by another party, in accordance with the Ralph M. Brown Act.

- E. Any Trustee may add an item at the time of the Board of Trustees meeting for inclusion on a future agenda. No action shall be taken on these future agenda items at the meeting at which they are added.

## **12.2. Order of Business**

The order of business as set forth in the agenda may be adjusted during the meeting with the approval of the Board of Trustees. As a permanent agenda item, there will be an opportunity for communication and comments from the public concerning items not on the agenda.

## **12.3. Minutes**

Minutes of Board of Trustees meetings are a matter of public record. The official written Minutes are filed in the Administrative Office at Main Library and on the Altadena Library District's website and are available for public inspection and review during normal business hours.

## **12.4. Adequate Information to Precede Action**

Except in emergencies, the Board of Trustees shall not attempt to decide upon any question before examining and evaluating information any person requests the Board of Trustees to consider. The District Director shall be given an opportunity to examine and evaluate all such information and to recommend action before the Board of Trustees attempts to make a decision. All budget considerations shall be presented with adequate financial context from the budget, so the Board of Trustees can give each item adequate consideration.

## **12.5. Trustee Suggestions**

Trustees may individually make suggestions for library services and operations to the District Director for evaluation.

## **12.6. Official Reports**

Whenever a member of the Board of Trustees attends a meeting as an official representative of the Board or of the Altadena Library District, a written or oral report should be made available to the other members of the Board of Trustees. A written report is recommended.

## **12.7. Guidelines for Addressing the Board of Trustees by Members of the Public**

At each regular meeting, time is set aside for oral communications from the public. Members of the audience may speak on any District-related subject which is not included on the agenda under the agenda item "Communication and Comments from the Public Concerning Items Not on the Agenda."

Later, when each agenda item comes before the Board of Trustees, the President (or Chair) will invite those who have filled out request cards to speak on that item before comments from staff and the Board of Trustees.

The Board of Trustees recognizes its responsibility to openness in governing and the importance of public input. However, in order to conduct its business in an orderly and efficient manner, the Board of Trustees will require reasonable policies regarding public presentations to the Board of Trustees.

- A. Those wishing to address the Board of Trustees are requested to fill out a request

card for each agenda item or topic they wish to speak on and hand it to an appropriate staff member.

- B. When called to speak, speakers should go to the microphone and are requested to identify themselves by name.
- C. Remarks shall be limited to three minutes per person. This applies to both non-agenda and agenda items.
- D. All remarks are to be directed to the Chair. Dialogue between members of the public and between the public and Trustees is not permitted. Trustees may briefly respond to comments or questions from the public at their discretion.
- E. Remarks by any person addressing the Chair which reflect adversely upon the political or religious views, or character of any person, are not permitted. Derogatory, insulting or abusive remarks directed toward any employee of the Altadena Library District shall not be permitted. The Board of Trustees cannot prohibit public criticism of policies, procedures, programs or services of Altadena Library District or the acts or omissions of the Board of Trustees itself. (Gov. Code §54954.3(c)). (The law provides no immunity for defamatory statements.)
- F. The Chair shall rule on the appropriateness of the subject being presented and whether presentation is within the time limits specified.
- G. Violations of these rules that substantially disrupt the meeting may lead to removal of the individual from the meeting.

### **12.8. Agenda Attachments**

All items indicated as attachments to the agenda for any items to be considered by the Board of Trustees will be available via the Altadena Library District's website and in print at least 72 hours prior to the commencement of the meeting at which Board of Trustees deliberation is required, and when possible, at the time of agenda distribution. Documents which are public records and which are distributed during a public meeting shall be made available for public inspection at the meeting if prepared by the District or after the meeting if prepared by another party, in accordance with the Ralph M. Brown Act.

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### **13. Correspondence**

Members of the Board of Trustees acting in their capacity as an officer, committee chair, or liaison, may issue correspondence on Altadena Library District letterhead stationery as it relates to the office, committee, or liaison function. Members of the Board of Trustees shall provide a copy to the District Director for file and distribution to the Board of Trustees as required. Correspondence representing or advocating an Altadena Library District position on an issue (e.g., a ballot measure) require prior Board of Trustees approval.

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## **14. Awards and Honors**

The Board of Trustees may honor and recognize the service of the staff. Recognition of staff five year milestones (beginning at five years, and every five years thereafter) should be organized in close concert with the District Director.

The Board of Trustees may from time to time of its own accord honor and recognize individuals from the community who have distinguished themselves by service to the Altadena Library District. Such recognition may be in the form of a Certificate of Recognition to be presented, if possible, at a Board of Trustees meeting.

The Board of Trustees may also, from time to time of its own accord, honor and recognize individuals from the community who have distinguished themselves. Such recognition may be in the form of a Certificate of Recognition to be presented, if possible, at a Board of Trustees meeting.

Acting upon recommendations submitted by the District Director, the Board of Trustees will recognize volunteers who have contributed significant hours of service or value to Altadena Library District. Such recognition may be in the form of a Certificate of Recognition to be presented, if possible, at a Board of Trustees meeting.

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## **15. Communications**

### **15.1. Media**

#### **A. Responsibility**

1. The District Director shall coordinate the release of information concerning Altadena Library District and the actions of the Board of Trustees.
2. The President of the Board of Trustees or his/her designee shall be the official spokesperson for Board of Trustees actions. Individual Board members who speak to media representatives should clarify to media representatives that any comments they choose to make are their own personal viewpoints and do not represent a consensus of or position taken by the Board of Trustees unless such position was passed by a motion of the Board of Trustees. In such a case, the motion should be quoted exactly.
3. Individual Board members should report all relevant media contacts to the District Director, and, in turn, the District Director will keep the Board informed of media activity in the District.
4. Altadena Library District employees and/or volunteers shall refer media inquiries to the District Director. Altadena Library District employees and/or volunteers shall clarify to media representatives that any comments they choose to make are their own personal viewpoints and do not represent the official position of the Altadena Library District. Employees and/or volunteers should report all media contact to the District Director.

#### **B. Cooperation with Media**

1. The Altadena Library District shall cooperate with media representatives in an effort to provide accurate information in response to media interests and for dissemination to the public through the media.

2. Media representatives are encouraged to attend meetings of the Board of Trustees and its standing committees and will receive meeting announcements, agendas, and agenda packets upon request.

C. Visits to Altadena Library District Facilities

1. When visiting Altadena Library District facilities in an official capacity, media representatives are requested to notify staff of their presence and activity. Staff so notified shall inform the District Director of the presence of media representatives at an Altadena Library District facility.
2. Media wishing to photograph Altadena Library District facilities shall adhere to any applicable guidelines and policy regarding video, media, or still photography on District property that is compliant with State or Federal law.

D. Crisis Communications

During crisis situations, all media inquiries shall be routed to the office of the District Director or his/her designee, who shall prepare and update an official statement responding to the situation as events unfold. The Director will keep the Board of Trustees informed.

E. Confidentiality

The Altadena Library District shall not release information which is private or confidential as identified by law.

## **15.2. Email and Personal Devices**

### **15.2.1 Purposes**

The purpose of this Email and Personal Devices Policy (“Policy”) is to provide clear and concise direction regarding the business of the Altadena Library District (“District”) via electronic communications by the Board of Trustees and any District official, as defined below, and is enacted with reference to broader District operational guidelines for all District employees. Specifically, this Policy is adopted in light of the *City of San Jose v. Superior Court* (2017) 2 Cal.5th 608 case, which held that local agency employees’ communications related to the conduct of public business do not cease to be public records under the California Public Records Act (“PRA”) simply because they were sent or received using a personal email account or personal electronic device.

Existing and emerging electronic communications technologies have become an integral part of the ability of District officials to efficiently and effectively conduct District business. However, with such technology in the work environment, the District must ensure it continues to meet its legal obligations with respect to transparency in the conduct of the people’s business, including in the area of public records disclosure and retention requirements. To that end, the following policies and protocols will be followed.

### **15.2.2. Definitions and Scope**

For purposes of this policy, the following definitions shall apply:

- A. “District business” shall be construed broadly to mean topics within the subject matter of

the District’s jurisdiction, including, but not limited to, pending or potential Altadena Library District projects and all past or prospective District agenda items.

- B. “District network” shall mean any Internet access, computer server, computer network, intranet, local area network, wireless network, e-mail system, cloud storage system, or file-sharing system owned or made available by the District.
- C. “District official” shall mean any person elected or appointed to a legislative body, commission, or committee of the Altadena Library District.
- D. “District personnel” shall collectively refer to all District employees, elected officials, appointed officials, and consultants who create, transmit, or retain electronic communications related to Altadena Library District business.
- E. “Electronic communications” includes any and all electronic transmission, and every other means of recording upon any tangible thing in any form of communication or representation, regardless of the manner in which the record has been stored. Without limiting the nature of the foregoing, “electronic communications” include e-mails, texts, voicemails, and also include communications on or within commercial applications (apps) such as Facebook Messenger, Twitter, WhatsApp, etc.
- F. “Electronic device” shall refer to a device depending on the principles of electronics for its operation, including but not limited to cellular telephones, laptops and desktop computers, tablets, pagers, cameras, televisions, and DVD/CD players.
- G. “Electronic messaging account” means any account that creates, sends, receives or stores electronic communications.
- H. “Public record” shall mean any writing, as defined in Government Code section 6252(f), that is prepared, owned, used, or retained by the District and that substantively relates to District business.

### **15.2.3 Policy and Procedures: Personal Devices**

- A. All District officials shall be assigned a District electronic messaging account. All electronic communications created, sent, received, deleted, or stored using the District’s network or a District-owned device are the property of the District.
- B. Only District-issued electronic messaging accounts and, if applicable, District-issued electronic devices shall be used to conduct District business. To the greatest extent possible, District officials shall not use personal electronic messaging accounts for the creation, transmission or storage of electronic communications regarding District business.
- C. District electronic messaging accounts and access to the District’s electronic messaging server are solely for the purpose of conducting District business and shall not be used for personal business or political activities. Incidental use of District-issued electronic messaging accounts for personal use by District officials is permissible under state law, though discouraged.



- D. District-provided ethics training, pursuant to AB 1234, should include a discussion of the impacts of the *San Jose* case and this policy. Such training should include information on how to distinguish between public records and personal records.
- E. To avoid greater intrusion into District officials' personal electronic devices and electronic communications than is necessary in response to a Public Records Act request, all District officials should, within 30 days following the adoption of this Policy, search all private, non-governmental electronic messaging accounts and electronic devices to locate any electronic communications that might constitute a public record regarding District business. All such public records should be forwarded to the District-issued electronic messaging account assigned to that District official or to a District-controlled storage system. To the extent the District official believes that any part of such records contains personal matter not related to the District's business, the District official shall consult with District counsel. Newly elected or appointed members of the Board of Trustees shall be required to sign acknowledgement of this Policy within 30 days following their first Board meeting to ensure communications that may be subject to disclosure under the Public Records Act are retained exclusively on a District-issued electronic messaging account to the greatest extent possible.
- F. If a District official receives an electronic message regarding District business on his/her non-governmental electronic messaging account, the District official shall either: (a) copy ("cc") any communication from the District official's personal electronic messaging account to his/her District electronic messaging account; or (b) forward the associated electronic communication to his/her District account as soon as possible. District officials should request persons sending electronic communications regarding District business to utilize that District official's electronic messaging account.
- G. District officials understand they have no expectation of privacy in the content of any electronic communication sent or received on an District electronic messaging account, on communication utilizing District servers, or any District-issued electronic device. District officials understand that electronic communications regarding District business that are created, sent, received or stored on an electronic messaging account, may be subject to the Public Records Act, even if created, sent, received, or stored on a personal electronic messaging account or personal electronic device.

#### **Public Records Requests**

- H. In the event that the District receives a Public Records Act request that is specifically seeking public records prepared, owned, used, or retained by District personnel, the request shall promptly be transmitted to the relevant District personnel who may reasonably be in possession of records responsive to the request, along with the date by which any potentially responsive electronic communications need to be transmitted back to the District for review and subsequent transmit to the requesting party.
- I. It shall be the duty of all District officials receiving such a request to promptly conduct a good faith and diligent search of his/her personal electronic messaging accounts and devices for responsive electronic communications, and/or be able and willing to declare that such records being sought are not stored or retained on his/her personal electronic messaging accounts and devices, signed under penalty of perjury, included as Attachment A to this Policy. If any responsive records are located, District officials shall promptly transmit those records to the appropriately designated member of District personnel.

- J. District officials who makes a decision to withhold or redact any electronic communication identified as potentially responsive must submit a declaration, included as Attachment A to this Policy, under penalty of perjury with facts sufficient to show the record is not related to District business. In the event a question arises as to whether or not a particular communication, or any portion of it, is a public record or purely a personal communication, the District official should consult with District counsel.
- K. This policy does not waive any exemption to disclosure that may apply under the California Public Records Act.
- L. District officials understand that all electronic communications regarding District business are subject to the District's Records Retention policy, regardless of how the communications was transmitted or stored. Since it is unlawful to destroy, alter or falsify a public record, District officials must retain all electronic communications regarding District business in accordance with the District's adopted records retention policy.

#### **15.2.4. Policy and Procedures: Email Usage**

- A. Communication on the District's network should be focused on District business. District officials are not to use email for non-governmental business, including, but not limited to: commercial ventures or religious or political causes. The District's network shall not be used for any activity that is a violation of local, state, or federal law.
- B. District officials are prohibited from using the District's network to transmit any electronic communication containing or expressing:
  - 1. Messages of a religious nature or promoting or opposing religious beliefs.
  - 2. Messages containing language which is insulting, offensive, disrespectful, demeaning, or sexually suggestive.
  - 3. Messages containing harassment of any form, sexual or ethnic slurs, obscenities, or any representation of obscenities.
  - 4. Messages that promote, foster, or perpetuate discrimination on the basis of race, creed, color, age, religion, gender, marital status, or status with regard to public assistance, national origin, physical or mental disability or sexual orientation, as well as any other category protected by federal, state, or local laws.
  - 5. Messages used to send or receive copyrighted material, proprietary financial information or similar materials, unless the transmission of such material is directly related to District business.
  - 6. Messages used for gambling or any activity that is a violation of local, state, or federal law.
  - 7. Threats of violence or injury to any person, property, or organization.
  - 8. Messages that conduct or encourage illegal activity.
  - 9. Non-work related newsletters or other mailers, which may be susceptible to spam or a malicious attack.
- C. District officials are strongly discouraged from using any program, application, or platform to discuss or conduct District business or to exchange electronic communications related to District business other than their District-issued email account, as these communications constitute public records under the Public Records Act.
- D. District officials are responsible for managing their mailboxes, including organizing and deleting any non-District related messages.

- E District officials are expected to remember that email sent from District email accounts or on behalf of the District is a representation of the District. All District personnel must use normal standards of professional and personal courtesy and conduct when drafting email messages.
- F District officials should avoid “broadcasting” messages and documents unless the message is of interest to all District personnel.
- G. The District reserves the right to retrieve any and all electronic communications transmitted through the District network or on District-owned technology. As a routine matter, the District does not read or monitor the content of electronic communications created, sent, received, deleted, or stored through the District network or on District-owned technology, but may monitor or access such electronic communications as permitted by Federal or State law.
- H. Most communications among District personnel are not confidential communications. However, certain communications such as police investigations, personnel records, or attorney-client communications may contain confidential information under the Public Records Act. Questions about whether communications are confidential, and how they are to be preserved, should be discussed with District counsel. The use of passwords to protect documents does not guarantee confidentiality or security.
- I. District officials shall not forward messages from his/her District-issued electronic messaging account to any non-governmental account(s) for the purpose of creating a personal email archive of any record related to District business.
- J. District officials are responsible for respecting and maintaining the security of District electronic resources and networks, and shall not attempt to access information protected by privacy laws, impersonate other network users or install or use illegal software or files, including unauthorized apps, on any Department-issued electronic devices.
- K. District officials who are leaving the office have no rights to the contents to any electronic communications stored on the District’s network or on a District-owned device.

#### **15.2.5 Violations**

- A. Failure of District officials to abide by this Policy, following its adoption, may result in disciplinary action, up to and include censure, removal from official or referral for criminal prosecution.
- B. If a District official uses his or her personal electronic device to send text messages or instant messages to conduct District business he/she must retain the message(s) in accordance with the District’s Records Retention policy, and/or ensure that a copy is forwarded to a District electronic messaging account. The same is true for conducting District business via social media, in line with the District’s Social Media and Online Activity Policy.

#### **ATTACHMENT A: DECLARATION**

#### **ATTACHMENT B: POLICY ACKNOWLEDGEMENT**

*[attached on following pages]*

In the matter of:

California Public Records Act Request  
Pursuant to Gov. Code § 6250 *et seq.*

Re: \_\_\_\_\_

Insert shorthand name of record request, including  
request number, if applicable

Requester: \_\_\_\_\_  
Print or type name of requester

Declaration of:

\_\_\_\_\_  
Print or type name of official

**Regarding Search of Personal Electronic  
Messaging Account**

STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES  
ALTADENA LIBRARY DISTRICT

I, \_\_\_\_\_ declare:  
Print name

1. I received notice of a California Public Records Act (“CPRA”) request regarding a search of my personal electronic messaging account(s).

2. I understand that the CPRA request seeks:  
\_\_\_\_\_ Insert  
text of CPRA request.

3. I am the owner or authorized user of the following personal electronic messaging account and have the authority to certify the records:  
\_\_\_\_\_ Insert  
description of personal electronic messaging account(s).

4. I have made a good faith, diligent, thorough, and complete search of the above mentioned personal electronic messaging account(s) for all electronic communications potentially responsive to the above mentioned CPRA request.

5. Any responsive electronic communications discovered, and referenced below, were prepared or used by me in the ordinary course of business at or near the time of the act, condition or event.

6. Any responsive electronic communications discovered, and referenced below, are true copies of all records described in the above mentioned CPRA request.

*Check the applicable box:*

I certify that I do not possess responsive electronic communications.

I certify that I cannot reasonably recover responsive electronic communications.

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\_\_\_\_\_  
Explain efforts to retrieve responsive electronic communications and why you were unable to recover responsive electronic communications.

I certify that I discovered potentially responsive electronic communications from my personal electronic messaging account, but I am withholding that information because the information is “personal” business. This is for the following reasons:

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\_\_\_\_\_  
Describe with sufficient facts why the contested information is personal business and not subject to the CPRA. Attach additional pages, if necessary.

I certify that I discovered potentially responsive electronic communications from my personal electronic messaging account. I am providing all responsive information. However, some information is nonresponsive and I am withholding that information, because the information is personal business. This is for the following reasons:

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\_\_\_\_\_  
Describe with sufficient facts why the contested information is personal business and not subject to the CPRA. Attach additional pages, if necessary.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that I have personal knowledge of the facts set forth above.

Executed this \_\_\_ day of \_\_\_\_\_, 20\_\_\_, in \_\_\_\_\_, California.

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

**POLICY ACKNOWLEDGEMENT**

**District employees who have access to desktop computers, local area networks and the Internet, printers, fax machines, modems, application software, data files, voice mail, electronic mail (e-mail), and data imaging must indicate their acceptance and agreement to comply with this policy in writing. Failure to do so will result in termination of access to the computer resources specified above. Employees wishing to have access are required to indicate their written agreement prior to being given access. Please return this form to your supervisor or administrator to be kept on file.**

**ACKNOWLEDGEMENT OF RECEIPT**

This is to acknowledge that I, \_\_\_\_\_, have received a copy of the District's Email and Personal Devices Policy. I understand that it contains important information on the District's policies with regard to the use of the District's network and District-owned technology, as well as my obligations and responsibilities.

I acknowledge that I have read, understand, and promise to adhere to the District's Email and Personal Devices Policy. I understand that the provisions in the Policy govern my use of the District's network and District-owned technology and that the District, in its sole and absolute discretion, may change, rescind, or add to this Policy from time to time, with or without prior notice to me. I further understand that it is my responsibility to regularly review and comply with any changes to the Policy.

Furthermore, I understand that any unlawful use of District's network and District-owned technology or any violation of this policy may result in discipline up to and including termination, as well as referral for criminal prosecution.

Printed Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

### **15.3. Social Media and Online Activity**

#### **15.3.1. General Purpose**

The purpose of this Social Media Policy ("Policy") is to establish guidelines for the establishment and use by District officials of social media sites as a means of conveying information to members of the public. The District has an overriding interest and expectation in protecting the integrity of the information posted on its social media sites, the content that is attributed to the District and its officials, and compliance with federal and state law.

#### **15.3.2 Definitions**

The following words and phrases whenever used in this Policy shall have the meaning defined in this section:

- A. "District business" shall be construed broadly to mean topics within the subject matter of the District's jurisdiction, including, but not limited to, pending or potential Altadena Library District projects and all past or prospective District agenda items.
- B. "District official" shall mean any person elected or appointed to a legislative body, commission, or committee of the Altadena Library District.
- C. "Posts" or "postings" means information, articles, pictures, videos or any other form of communication posted on a District social media site or social media site maintained by a District official.
- D. "Social media sites" means content created by individuals, using accessible, expandable, and upgradable publishing technologies, through and on the internet. Examples of social media include, but are not limited to, Facebook, Twitter, Instagram, NextDoor, Blogs, RSS, YouTube, and LinkedIn.

#### **15.3.3 District Officials' Use of Social Media**

- A. While District officials are encouraged to maintain social media accounts in their capacity as elected or appointed officials ("official sites"), which can be used to encourage public participation, disseminate information, and expand transparency, District officials should be aware that a personal social media site that is used for District business can result in that social media site being made public to all, and its postings subject to public records and record retention laws. District officials should keep their personal social media presence ("personal sites") separate from that of the District and should, to the greatest extent feasible, refrain from using personal social media sites to discuss District business.
- B. The District is not responsible for the contents or accuracy of material posted on District

officials' personal or official social media sites, or for any comments made on District's social media pages posted independently and without the District's consent or approval. Publication of such content does not constitute an endorsement by the District.

- C. District officials cannot use electronic communications to respond to or deliberate with other District officials serving on the same District legislative body, as doing so with a majority of members would constitute an unlawful serial meeting under the Brown Act.
- D. District officials cannot discuss, deliberate or express opinions on current or future items that are set to or might reasonably be expected to come before the legislative body, as doing so could prejudice the public's ability to participate in District business or otherwise lead to the perception that the District does not value public input. District officials may, at their discretion and operating from their official accounts, provide information to the public that is already part of the public record or publicly available from the District or other public sources.
- E. During an emergency, District officials should share only confirmed information on personal or official social media sites to avoid confusion, and should refer constituents to the official Altadena Library District website or District social media sites for up-to-date information.
- F. A district official will include the following language on their personal and/or official social media sites to prevent confusion and public expectations: "This page is not operated by the Altadena Library District and is not a reflection of the District's official policies or opinions."
- G. To the extent that District officials cannot avoid interacting on personal social media sites with constituents on District business, District officials should take a screenshot of that social media correspondence, and forward it to their District electronic messaging account for preservation under the Public Records Act and in line with the District's record retention guidelines as soon as possible.
- H. Any social media posting made by District officials regarding District business shall not contain any of the following:
  - 1. Profane or obscene language or content;
  - 2. Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, or status with regard to public assistance, national origin, physical or mental disability or sexual orientation, as well as any other category protected by federal, state, or local laws;
  - 3. Sexual content or links to sexual content;
  - 4. Solicitations of commerce;
  - 5. Conduct or encouragement of illegal activity;
  - 6. Information that may tend to compromise the safety or security of the public or



- public systems;
- 7. Content that violates a legal ownership interest of any other party; or
- 8. Threats of violence or injury to any person, property, or organization.

Failure of District officials to abide by this Policy following its adoption may result in disciplinary action, up to and include censure, removal from official or referral for criminal prosecution.

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## **16. Regular Policy Reviews**

The Board of Trustees shall review all District policies, including Board policies herein, on a regular basis, no later than three years after the policy was last approved.