

## **PREFACE to the ETHICS and CONFLICT of INTEREST POLICIES of the MYSTIC and NOANK LIBRARY**

In order to successfully achieve our mission, the Mystic and Noank Library (the "Library") must have the trust of the communities it serves. It is imperative that each staff and committee member as well as each member of the board of directors (the "Board," and "Trustee" or "Board member"), shall conduct business on behalf of the Library with the highest level of integrity, avoiding any impropriety or the appearance of impropriety. A measure of the importance that the Library places upon ethical behavior is that at the beginning of each year, each Trustee and every staff and committee member must review and sign both an "Ethics" and a "Conflict of Interest" policy.

The policies that follow are an amalgam of those provided by the American Library Association and long-established priorities of the Library.

### **CONFLICTS of INTEREST POLICY**

To maintain the confidence and trust of the public, it is extremely important that conflicts of interest, or appearances of such conflicts, be avoided. Trustees, staff and committee members must be aware of and properly manage any conflict of interest or the appearance of any such conflict. The following policy sets forth some situations that present potential conflicts and provides procedures to assure that all conflicts are managed in accordance with legal requirements and the goals of accountability and transparency in all of the Library's operations.

Other than compensation, no staff member shall derive any personal profit or gain, directly or indirectly, by reason of his or her employment by the Library except through activities that may facilitate professional advancement or contribute to the profession such as publications and professional service and have been fully disclosed to the Board.

Despite an association with the Library, none of these provisions shall be construed to invalidate any contract rights for services provided to the Library by an individual acting in a professional capacity.

#### ***Conflicts, Defined***

A substantial benefit of any kind to a Trustee, or to a staff or committee member, can raise the prospect of a conflict of interest or its appearance. This can include being a participant, directly or indirectly, in any arrangement, agreement, investment, or other activity with any vendor, supplier, or other party doing business with the Library that has resulted or could result in personal benefit to the Trustee, or staff or committee member.

A benefit to a member of a Trustee's, staff member or committee member's family can also create a conflict of interest. (Some examples of family members for these purposes are a spouse, parent, child, or spouse of a child, a brother, sister, or spouse of a brother or sister.)

A common example is that of a "material financial interest." A material financial interest is a financial interest of any kind that, in view of all the circumstances, is substantial enough that it would, or reasonably could, affect a Trustee's or a staff or committee member's judgment with respect to a financial transaction of any type.

As it is clear that many types of affiliations and relationships can result in conflicts, each must be reviewed in light of all the circumstances to assess whether there is a personal interest that is in conflict with the Library's interests.

In general, the making of a gift to the Library does not present a potential conflict of interest unless the donor proposes to use the gift to control Library decisions.

Although the acceptance of gifts, gratuities, or entertainment may present potential conflicts, the acceptance of items of nominal or insignificant value or entertainment that is unrelated to any particular transaction or activity of the Library is not a conflict of interest.

When a Trustee stands for election as an officer or for re-election to the Board, s/he will follow all the procedures outlined in the next section as if s/he had a conflict and recuse her/himself from the discussion and subsequent vote on his/her election or reelection.

### ***Conflicts, Procedures***

Before the Board or a committee takes action on a contract or other transaction involving a conflict of interest, all facts material to the conflict shall be assessed as follows:

Any conflict of interest, or potential conflict, involving a Trustee or the executive director shall be reviewed by the executive committee.

Any conflict of interest, or potential conflict, involving a staff member shall be made known to that member's supervisor who shall refer it to the executive director. If necessary, the executive director shall refer the matter to the executive committee.

Any conflict of interest, or potential conflict, involving a committee member shall be referred to the committee chair who shall refer the matter to the executive committee.

All conflicts, or potential conflicts, addressed in meetings shall be recorded in the meeting minutes.

If a Trustee is aware that a staff or committee member has a conflict of interest, relevant facts must be disclosed by the board member to the Board. It is the responsibility of the Board to conclude which offers or contracts are in the best interest of the Library.

A person who has a conflict of interest shall not participate in or be permitted to hear the Board's discussion of the matter except to disclose material facts and respond to questions. Such person shall not attempt to exert his or her personal influence with respect to the matter, either at or outside any meeting.

A person who has a conflict of interest with respect to a matter that will be voted on at a meeting shall neither be counted in determining the presence of a meeting quorum nor be present in the meeting room when the vote is taken.

Trustees, staff members and committee members shall not disclose or use information relating to the business of the Library for their personal profit or advantage or the personal profit or advantage of their family members.

Every Trustee, staff member and committee member shall exercise care not to disclose confidential information acquired in connection with disclosures of conflicts or potential conflicts that might be averse to the interests of the Library, either for his/her personal profit or for an advantage to any of their family members.

Members of the Board, the staff, and committees shall refrain from obtaining any list of library patrons that results in personal benefit.

Any policy changes relating to conflicts or other ethics policies shall be communicated promptly to each Board, staff, and committee member.

Annually, each Board, staff, and committee member shall be provided with and asked to review a copy of the Library's conflicts and ethics policies and acknowledge in writing that s/he has done so. Each member shall complete a disclosure form that shall be treated as confidential and generally be made available only to the president of the Board and to the executive director except to the extent additional disclosure is necessary in connection with the implementation of this policy.

*Affirmation Statement*

Except as noted on the reverse of this sheet with a full description of the transactions, whether direct or indirect, which I or my family have (or have had during the past year), I have no conflict or potential conflict to report.

Signature \_\_\_\_\_

Date \_\_\_\_\_

Printed name \_\_\_\_\_

Position with the Library \_\_\_\_\_

**ETHICS RESPONSIBILITIES and AFFIRMATION STATEMENT for  
the EMPLOYEES and COMMITTEE MEMBERS  
of the MYSTIC and NOANK LIBRARY**

Library employees and committee members shall:

- uphold the integrity of the Library and perform their duties impartially and diligently.
- not engage in discrimination of any kind including any that is based on race, class, ethnicity, religion, sex, sexual orientation, or belief system.
- protect and uphold patrons' right to privacy in their use of the Library's resources.
- respect the confidential nature of Library business and not disclose such information to anyone.
- avoid situations in which their personal interests, activities, or financial affairs are, or are likely to be perceived as being, in conflict with the best interests of the Library.
- avoid having interests that may reasonably bring into question their ability to act in a fair, impartial, and objective manner.
- not knowingly act in any way that would reasonably be expected to create an impression among the public that they are engaged in conduct that violates their trust as an employee or committee member.
- not use or attempt to use their positions with the Library to obtain unwarranted privileges or advantages for themselves or others.
- not be swayed by partisan interests, public pressure, or fear of criticism.
- not denigrate the organization, fellow employees, or Board or committee members in any public arena.

*AFFIRMATION STATEMENT*

I have read, understood, and agree to abide by the Ethics Policy of the Mystic and Noank Library.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## **ETHICS RESPONSIBILITIES and AFFIRMATION STATEMENT for TRUSTEES of the MYSTIC and NOANK LIBRARY**

Every Trustee makes a personal commitment to contribute the time and energy required to faithfully carry out his/her duties and responsibilities effectively and with absolute truth, honor, and integrity.

Trustees shall:

- be respectful in disagreeing with or opposing a viewpoint different from their own.
- comply with all the laws, rules, and regulations that apply to them and to the Library.
- in fulfilling their responsibilities, not be swayed by partisan interests, public pressure, or fear of criticism.
- uphold library patrons' rights to privacy in the use of Library resources.
- not engage in discrimination of any kind including any that is based on race, class, ethnicity, religion, sex, sexual orientation, or belief system.
- distinguish clearly in their actions and statements between their personal philosophies and attitudes and those of the Library, acknowledging and supporting the formal position of the Board even if they disagree.
- respect the confidential nature of Library business and not disclose such information to anyone.
- avoid situations in which personal interests might be served or financial benefits gained as a result of their position or access to privileged Library information, for either themselves or others.
- immediately disqualify him/herself whenever a conflict of interest, or the appearance of such a conflict, exists.
- not use their position to gain unwarranted privileges or advantages from the Library for themselves or others.
- not interfere with the management responsibilities of the executive director as outlined in Article III, Section 10 of the bylaws, or the supervision of the Library staff.
- support the efforts of librarians in resisting censorship of library materials by groups or individuals.

### *AFFIRMATION STATEMENT*

This is to certify that I have read, understood, and accept the responsibilities of being a Trustee of the Mystic and Noank Library.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date