

AGENDA

Committee of the Whole Meeting #2023-01

Kingston Frontenac Public Library Board

March 8, 2023 at 5:00 PM

Meet 1, Central Branch

The Kingston Frontenac Public Library acknowledges that our work takes place on the traditional territories of the Algonquin, Anishinaabe, Haudenosaunee and Huron-Wendat and is home to Shabot Obaadjiwan First Nation, one of ten communities that make up the Algonquins of Ontario. We acknowledge the Mohawks of the Bay of Quinte and recognize that our region is home to First Nations, Métis, and Inuit from across Turtle Island, as well as Indigenous Peoples from other areas of the world.

1. Call to Order
2. Policy Review
 - 2.1. Monitoring Chief Librarian Performance (B-5) (report and policy attached)
 - 2.2. KFPL Board Constitution and By-Laws (report and documents attached)
 - 2.3. Collection Development (report and policy attached)
 - 2.4. Community Engagement (report and policy attached)
 - 2.5. Procurement of Goods and Services (deferred to May 2023)
3. Other Business
 - 3.1. Health and Safety Discussion

Adjournment and Next Meeting

Regular Board Meeting, Wednesday, March 22, 2023 at 5:00 PM, Meet 1, Central Branch.

Kingston Frontenac Public Library exists so that both urban and rural residents have access to resources, services, and programming that support personal enrichment, digital equity, information literacy, and meaningful societal participation through effective stewardship of public resources.

KFPL Report to the Board

Subject: Monitoring Chief Librarian Performance (B-5)

Prepared by: L. Carter, Chief Librarian / CEO

Date of meeting: March 8, 2023

Background:

Governance Policy B-5, Monitoring Chief Librarian Performance sets the monitoring schedule for each of the Executive Limitations Policies. Governance Policies are to be reviewed once per Board term.

Analysis:

Feedback from the previous Board indicated a desire to see some reports brought forward less frequently, particularly in cases where the content or evidence is unchanged. The Board can require additional monitoring of any Executive Limitation at any time.

Schedules from other Ontario libraries (Ajax, Pickering, and Markham) using the Policy Governance Model were reviewed in making recommendations, alongside resources providing guidance on using the Model.

Recommendations:

That a monitoring report for the General Executive Constraint (L-1) be added annually.

That Staff Relations and Volunteers reports (L-2) be required annually instead of quarterly.

That Financial Condition reports (L-5) be required semi-annually instead of quarterly.

That Communication and Counsel (L-9) reports be required quarterly (or semi-annually) instead of monthly, with a focus on the Board assessing the information provided in other reports to satisfy the stipulations of this policy.

That the frequency of the monitoring the other Executive Limitations remain unchanged.

That a schedule of operational policies reviewed by the Board be added, along with any information reports the Board requires (e.g., Requests for Review of Library Materials (quarterly), Performance Statistics (quarterly) and Summary of Incident Reports (all regular meetings)).

DRAFT (B-5) Monitoring Chief Librarian Performance

Systematic and rigorous monitoring of Chief Librarian job performance will be based primarily on the expected job outputs. These outputs will reflect Board policies on Ends as achieved within the boundaries established by stated Executive Limitations.

1. Monitoring is simply to determine the degree to which Board policies are being met. Data not related to this goal will not be considered to be monitoring data.
2. The Board will acquire monitoring data by one or more of three methods:
 - a) Internal report, in which the Chief Librarian discloses compliance information to the Board.
 - b) External report, in which a disinterested, external third party selected by the Board assesses compliance with Board policies.
 - c) Direct Board inspection, in which a designated member or members of the Board assess compliance with the appropriate policy criteria.
3. The standard for compliance shall be any reasonable interpretation of the Board policy made by the Chief Librarian.
4. All policies that instruct the Chief Librarian will be monitored at a frequency and by a method chosen by the Board. The Board can monitor any policy at any time by any methods, but will ordinarily depend on a routine schedule.

Policy	Method	Frequency
L-1 General Executive Constraint	Internal Report	annually
L-2 Staff Relations and Volunteers	Internal Report	quarterly annually
L-3 Treatment of Public	Internal report	annually
L-4 Financial planning and budgeting	Internal report	annually
L-5 Financial Condition	Internal report	quarterly semi-annually
L-7 Asset protection	Internal report	twice per term
L-7 Asset protection	External report (audit)	annually
L-6 Emergency Chief Librarian succession	Internal report	annually
L-8 Employment, Compensation & Benefits	Internal report	twice per term
L-9 Communication & Counsel to The Board	Internal report	monthly quarterly

KFPL Report to the Board

Subject: KFPL Constitution and By-laws

Prepared by: L. Carter, Chief Librarian / CEO

Date of meeting: March 8, 2023

Background:

The Kingston Frontenac Public Library Board Constitution was last extensively reviewed in 2014 by a Board sub-committee. The most significant change was the separation of the Constitution from the By-laws (Motions #2014-57 and #2014-58). The Constitution is more legislative, whereas the By-laws are more procedural. Minor revisions have been made to both documents since 2014.

Analysis:

Amendments to the Constitution and By-laws require a notice of motion to be given at a regular meeting of the Board, with changes considered at the next regular Board meeting. This is planned for the March and April meetings, respectively.

No changes are being suggested to the Constitution at this time, though there are some typographical errors that need to be corrected and updates to gender-neutral language are recommended. Changes to the Delegation of Authority (Appendix A) may be required following revisions to the Procurement of Goods and Services policy, so it is recommended that all changes be made at the same time.

There are four section of the By-laws that are recommended for review:

Section 7 sets the Rules of Order for Board meetings. The Board has used Kerr and King's Procedures for Meetings and Organizations since at least 2014. The most recent edition was published in 1996. It is recommended that the Board consider other resources, such as Robert's Rules of Order.

Section 9 outlines procedures for multi-media attendance at Board meetings and states that the Board "may give approval" for multi-media attendance. The practice has been that requests for phone or video participation in meetings have gone through staff, and so it is recommended that this section be revised.

Section 10 lists the organizations to which the Library Board makes formal appointments. The names of two of the organizations need to be corrected, and clause 10.2 needs to be updated to reflect current practice. The first Board meeting of a term

does not coincide with when the appointments need to be made. This clause could be omitted.

Section 11 outlines the order of business for Library Board meetings. Suggested revisions have been made on the attached document to more clearly differentiate items requiring Board approval from information reports and other items the Board wishes to receive but does not need to approve. Monitoring Reports would be moved to their own section on the agenda.

Section 15 a minor update is requested to section 15.3 to update terminology from in-camera to closed meeting.

Recommendations:

That the Board consider the proposed changes in preparation for formal review at the April 26, 2023 regular meeting.

KFPL Board Constitution (DRAFT)

1. Purpose of the Kingston Frontenac Public Library Board

- 1.1. The Kingston Frontenac Public Library Board has been established to ensure and direct the continuing operation of the Kingston Frontenac Public Library as a service within the meaning and terms of the *Public Libraries Act*, RSO 1990, c. P.44 [the “PLA”] and the Ends Statement of the Kingston Frontenac Public Library Board.

2. Board Structure

- 2.1. The Kingston Frontenac Public Library Board [the “Board”] is a corporation established pursuant to:
 - a) the *Public Libraries Act*;
 - b) the July 10, 1996 Proposal for the Reform of Local Governance Kingston/Frontenac;
 - c) the January 7, 1997 Order of the Minister of Municipal Affairs and Housing of Ontario [the “Order”]; and,
 - d) the January 27, 1998 Agreement between the Corporation of the City of Kingston and the Corporation of the Frontenac Management Board, now designated as the Corporation of the County of Frontenac [the “Agreement”].
- 2.2. The Kingston Frontenac Public Library is a union public library as per the *PLA*.
- 2.3. The annual cost of operating the library system shall be apportioned as follows, pursuant to the Order and the Agreement:
 - a) The City of Kingston shall be responsible for eighty-seven (87) percent of the cost; and
 - b) The four Townships – North Frontenac, Central Frontenac, South Frontenac and Frontenac Islands – and the County of Frontenac shall be responsible for thirteen (13) percent of the cost.
- 2.4. The percentage apportionment of costs may be changed to reflect a proportionate change in household growth in Kingston and in the Townships.

3. Head Office of Board

- 3.1. The address of the Board’s head office is 130 Johnson St., Kingston, ON, K7L 1X8.

4. Board Members

4.1. Composition:

The Board shall consist of eleven (11) members, pursuant to the Agreement: eight (8) members appointed by the Council of the City of Kingston and three (3) members appointed by the Council of the County of Frontenac.

4.2. Qualifications:

A person is qualified to be appointed as a member of the Board who is a member of the appointing council or:

- a) Is at least eighteen years old;
- b) Is a Canadian citizen or a permanent resident of Canada within the meaning of the *Immigration and Refugee Protection Act* (Canada);
- c) Is a resident of the City of Kingston or County of Frontenac; and,
- d) Is not employed by the Board, City of Kingston or County of Frontenac. [PLA, s.10(1)]

4.3. Appointment:

Appointment shall be made at the first meeting of Council in each term, but if Council fails to make the appointments at its first meeting, it shall do so at any meeting held within 60 days after its first meeting. [PLA, s. 10(4)]

4.4. Term:

A Board member shall hold office for a term concurrent with the appointing Council, or until a successor is appointed, and may be re-appointed for one or more further terms. [PLA, s. 10(3)]

4.5. Disqualification:

If a Board member:

- a) is convicted of an indictable offence;
- b) becomes incapacitated;
- c) is absent from the meetings of the Board for three consecutive months without being authorized by a Board resolution;
- d) ceases to be qualified for membership under 4.2(c); or
- e) otherwise forfeits ~~his or her~~ their seat,

the Member's seat becomes vacant and the remaining members shall forthwith declare the seat vacant and notify the appointing Council accordingly. [PLA, s. 13]

4.6. Vacancy:

Where a vacancy arises in the membership of the Board, the appointing Council shall promptly appoint a person to fill the vacancy and to hold office for the unexpired term, except where the unexpired term is less than forty-five days. [PLA, s. 12]

5. Officers of the Board

- 5.1. The Officers of the Board shall consist of the Chair, the Vice-Chair, the Chief Executive Officer, the Secretary and the Treasurer.
- 5.2. The Chair and the Vice-Chair shall be elected by the Board at its first meeting in the new term and then at the first meeting in each year of its term.
- 5.3. The Board shall, by motion, appoint a Chief Librarian who shall be the Chief Executive Officer of the Library.
- 5.4. The Board shall also, by motion, appoint a Secretary and a Treasurer. The Chief Librarian may be appointed as the Secretary and the Treasurer.

6. Power to Legally Bind the Board

- 6.1. One person representing the Board and / or one person representing the Administration, may legally bind the Board in accordance with the Board Delegation of Authority framework ([Appendix A](#)).

The Board's representation shall be one of the following:

- a) the Chair;
- b) the Vice-Chair;
- c) another Board member who, by motion, has been appointed by the Board with such authority;

The Administration's representation shall be one of the following:

- a) the Chief Librarian; or,
- b) the Chief Librarian's delegate.

7. Conflicts of Interest

- 7.1. All Board members must abide by their obligations under the *Municipal Conflict of Interest Act* (or its successor legislation).

- 7.2. Under the *Municipal Conflict of Interest Act*, where a Board member, either on their behalf or if acting on behalf of another, has any direct or indirect pecuniary interest in any matter and is present at a meeting of the Board when the matter is the subject of consideration, the member:
- a) shall, before any consideration of the matter at the meeting, disclose the interest and its general nature;
 - b) shall not take part in the discussion of, or vote on, any question in respect of the matter;
 - c) shall not attempt in any way, whether before, during, or after the meeting, to influence the voting on any such questions.
- 7.3. Where a Board member is absent from a meeting, they shall disclose any conflict of interest at the next meeting they attend.
- 7.4. All declarations of interest and their general nature shall be recorded by the Secretary in the minutes of that meeting, and, if the meeting is not open to the public, in the minutes of the next meeting that is open to the public.

8. Repeal and Amendments

Any of the preceding clauses of this Constitution may be repealed or amended by notice of motion given at any regular meeting of the Board. Approval of the motion to repeal or amend shall be by a two-thirds majority of votes cast at the next regular meeting of the Board.

Certified to be a true and correct copy of the By-laws of the Kingston Frontenac Public Library, amended by Motion # on **March 22, 2023**.

Signed copy on file.

Appendix A: KFPL Delegation of Authority

Approval / Decision	Board	CEO
Purchasing and Finance		
1. Transfer budget funds to, or from, the City of Kingston and County of Frontenac.	X	
2. Review and recommend annual Budget Estimates to City and County Councils.	X	
3. Approve general competitive and non-competitive expenditures as per the KFPL procurement policy (as amended from time to time) including, but not limited to: <ul style="list-style-type: none"> – Operational expenses – Leases – Single or multi-year tenders or contracts (including any contingencies) per vendor – Settlement and lawsuit payments – Software license agreements 	≥\$250,000	<\$250,000
4. Exercise approved spending authority for library materials up to the annual approved operating and capital budgets.		X
5. Apply for grants and other funding		X
6. Approve, amend, extend and execute agreements with the federal and provincial governments.		X
7. Approve, amend, extend and execute service agreements, contribution agreements and grant agreements.		X
8. Sign contracts for projects once required Board approval is obtained.		X
9. Approve trustee attendance at conferences and conventions	X	
10. Set or change prices for merchandise or services.	X	
Policies and Plans		
11. Approve KFPL Board policies.	X	

Approval / Decision	Board	CEO
12. Approve KFPL Strategic Plan.	X	
13. Approve strategic frameworks for key KFPL services.	X	
14. Approve strategic frameworks for advocacy, fundraising and major sponsorships.	X	
15. Implement and manage the strategic frameworks for key services, advocacy and fundraising.		X
16. Set or modify administrative and operational policies.		X
17. Approve naming rights recommendations.	X	
18. Permanently close branches or kiosk services.	X	
19. Temporarily close branches or temporarily modify kiosk services.		X
20. Approve sites for new branches, buildings, or kiosk services.	X	
21. Approve temporary locations for branches or kiosk services.		X
22. Approve architectural designs for new buildings.	X	
23. Approve website designs and modifications.		X
Human Resources		
24. Recruit, compensate, dismiss the CEO; monitor and evaluate the performance of the CEO.	X	
25. Set general compensation policies and salary levels for the organization.	X	X
26. Set the organizational structure for the organization, including the structure of departments and the number of staff, including Senior Staff.		X
27. Assess the performance of, and set salaries for individual staff.		X

Approval / Decision	Board	CEO
28. Hire, appoint, promote, suspend, dismiss and manage the performance of individual staff.		X
29. Set bargaining mandates.	X	X
30. Negotiate collective bargaining contracts.		X
31. Ratify negotiated collective agreements.	X	

KFPL Board By-laws (DRAFT)

1. First Meeting of the Kingston Frontenac Public Library Board

- 1.1. The Chief Librarian / CEO shall call a meeting of the Kingston Frontenac Public Library Board [the “Board”], within one month of the appointment of a new Board in each term and on written notice to all persons appointed as Board members, as per the *Public Libraries Act*, RSO 1990, c. P.44, s. 14(1) [the “PLA”].

2. Elections for Officers of the Board

- 2.1. At the first meeting of the new term, the Chief Librarian / CEO shall call the meeting to order and read the names of the members appointed to the Board.
- 2.2. The Chair and the Vice-Chair shall be elected by the Board at its first meeting in the new term and then at the first meeting in each year of its term. [PLA, s. 14(3)]
- 2.3. The Chief Librarian / CEO shall act as chair *pro tem* during the election for the position of Chair.
- 2.4. Nominations for Chair shall be made, with no seconder required. Nominations shall be closed by motion made and seconded. If only one person has been nominated, that person shall be declared elected. If more than one person has been nominated, the Chair shall be elected by secret ballot. The member receiving 50% plus one of the votes cast shall be declared elected as Chair by the Chief Librarian / CEO but the vote count shall not be disclosed. Should no member receive 50% plus one of the votes, the Chief Librarian / CEO shall declare this and balloting shall proceed until a Chair is elected.
- 2.5. Following election, the Chair shall chair the meeting and call for nominations for Vice-Chair. If the Chair is not present, the Chief Librarian / CEO shall call for nominations for Vice-Chair. The election of Vice-Chair shall be conducted in the same manner as that for Chair.
- 2.6. If neither the Chair nor the Vice-Chair are in attendance at a meeting, members of the Board shall, by motion, appoint one of their own members to be Chair *pro tem*. [PLA, s. 14(4)]
- 2.7. In the event that the office of Chair becomes vacant, the Vice-Chair shall assume the office for the unexpired term. In the event the office of Vice-Chair becomes

vacant, a new Vice-Chair shall be elected in the same manner as outlined above.

- 2.8. The Chair and Vice-Chair shall hold office for the duration of a one-year term or until their successors are elected.

3. Meeting Frequency

- 3.1. Regular meetings shall be held once per month for at least ten (10) months each year. The Board shall hold at least seven regular meetings in each year. [PLA, s. 16(1)]
- 3.2. The newly appointed Board shall decide the normal date, time and location for meetings, subject to change by a majority vote.
- 3.3. Special meetings of the Board may be called by the Chair or any two members by giving each member reasonable notice in writing, specifying the purpose for which the meetings is called. [PLA, s. 16(2)]

4. Notification of Meetings

- 4.1. The Chair shall give notice of each regular and special meeting to the members and to the Chief Librarian / CEO. The notice shall be accompanied by the agenda and any other matter to be brought before the meeting. The Chair and Chief Librarian/CEO shall be responsible for the preparation of the agenda. Any member wishing to place an item on the agenda may do so by making a request to the Chair or Chief Librarian / CEO at least 9 days prior to the meeting.
- 4.2. Minutes of the previous regular meeting and any special meetings, a written agenda, and reports relevant to the meeting shall be prepared and available no later than 8 days preceding the day of the regular meeting.
- 4.3. Notice of meetings shall be posted on the Kingston Frontenac Public Library website.
- 4.4. A person's lack of receipt of the notice of a regular or special meeting shall not affect the validity of holding the meeting or any action taken thereafter so long as a quorum is obtained at the meeting.

5. Open Meetings

- 5.1. In this section, "meeting" means any regular, special, committee or other meeting of the Board. "Committee" means any advisory or other committee, subcommittee

or similar entity of which 50% of the members are also members of the Board.
[PLA, s. 16.1(1)]

- 5.2. All Board meetings shall be open to the public, in accordance with the PLA, except the Board may vote to hold a portion of its meeting closed to the public, in those instances delineated in the PLA where the subject matter being considered is:
- a) the security of the property of the Board;
 - b) personal matters about an identifiable individual;
 - c) a proposed or pending acquisition or disposition of land by the Board;
 - d) labour relations or employee negotiations;
 - e) litigation or potential litigation, including matters before administrative tribunals, affecting the Board;
 - f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose; or,
 - g) a matter in respect of which the Board or committee of the Board may hold a closed meeting under another Act. [PLA, ss. 16.1(2) and (4)]
- 5.3. In addition, a meeting shall be closed to the public if the subject matter relates to the consideration of a request under the *Municipal Freedom of Information and Protection of Privacy Act* [MFIPPA] (or its successor legislation) if the Board or a committee of the Board is the head of an institution for the purposes of that Act.
[PLA, s. 16.1(5)]
- 5.4. Before holding a meeting or part of a meeting that is to be closed to the public, a Board or committee of the Board shall state by resolution:
- a) the fact of the holding of the closed meeting; and,
 - b) the general nature of the matter to be considered at the closed meeting. [PLA, s. 16.1(6)]
- 5.5. A meeting shall not be closed to the public during the taking of a vote unless:
- a) sections 5.2 or 5.3 permit or require the meeting to be closed to the public; and
 - b) the vote is for a procedural matter or for giving directions or instructions to officers, employees, or agents of the Board or committee of the Board or persons retained by or under contract with the Board. [PLA, ss. 16.1(7) and (8)]
- 5.6. The Chair may expel any person for improper conduct at a meeting. [PLA, s.

16.1(3)]

6. Quorum

- 6.1. Quorum for any regular or special meeting of the Board shall consist of a majority of Board members. [PLA, s. 16(5)]
- 6.2. A meeting shall be called to order by the Chair at the appointed hour. Should there be no quorum present fifteen (15) minutes after the time appointed for the meeting, the Secretary shall record the names of those present and:
 - a) the meeting shall stand adjourned or,
 - b) a special meeting shall be called at a later date, or
 - c) the members shall constitute themselves as a Committee dealing with such agenda items as they see fit and make recommendations at the next meeting.
- 6.3. Should a quorum no longer be present during a meeting, no further business may be conducted. [PLA, s. 16(5)]
- 6.4. If notified by a majority of Board members of their anticipated absence from a meeting, the Secretary shall notify all members of the Board that the meeting is cancelled. The meeting shall be rescheduled.

7. Rules of Order

- 7.1. Meetings shall be conducted according to the Rules of Order as per Kerr and King's Procedures for Meetings and Organizations.

8. Voting

- 8.1. Voting on motions shall be tallied by the Chair.
- 8.2. The Chair or acting Chair shall vote with the other Board members on all motions. Any question on which there is an equality of votes shall be deemed to be negative. [PLA, s. 16(6)].

9. Multi-media Attendance at Meeting

- 9.1. In exceptional circumstances when a Board member is unable to attend a meeting, attendance by telephone or video conference may be permitted. The Board may give approval for the member to attend remotely.

- 9.2. Full voting rights shall be allowed only when the Board member participates in the entire discussion on a given item.
- 9.3. Arrangements to attend a meeting via telephone or video conference shall be the responsibility of the Board member and shall be made by notifying the Administrative Assistant to the Chief Librarian / CEO, ideally no later than 24 hours prior to the meeting, if possible.

10. Appointments of Board Members to Community and Library Organizations

- 10.1. The Board may, from time to time, appoint a member of the Board, a staff member, or a community representative to represent the Board on community and library organizations, including:
- a) ~~Southern~~ Ontario Library Service ~~Board Assembly~~ ~~Trustee Council~~;
 - b) Kingston Literacy & ~~and~~ Skills Board; and,
 - c) others as required/determined
- 10.2. The appointments shall be made at its first meeting in the new term and then at the first meeting in each year of its term.

11. Order of Business

- 11.1. At any regular meeting of the Board, the order of business may be:
- a) Statement of Solidarity and Acknowledgement
 - b) Call to Order
 - c) Adoption of the Agenda
 - d) Disclosure of Conflict of Interest
 - e) Delegations/Presentations
 - f) Adoption of Minutes
 - g) Business Arising from the Minutes
 - h) ~~Consent Agenda~~ Information Requested by the Board
 - Correspondence
 - Information ~~Items~~ Reports
 - ~~Monitoring Reports~~
 - i) ~~Action Agenda~~ Required Approvals Agenda
 - ~~Business Arising from the Minutes~~

- j) Monitoring CEO Performance
 - Assessment of Monitoring Reports
 - ~~Action Items~~
- ~~k) Items for Discussion / Exploration~~
- l) Other Business
- m) Adjournment

11.2. The Board may at any time suspend or vary the order of business or add an item to the agenda by direction from the Chair without opposition, or by motion and majority vote of the members present.

12. Delegations

- 12.1. When anyone desires to address the Board on matters upon which the Board is considering taking action, they shall be permitted to do so, provided the request is directed to the Chief Executive Officer and received on or before 4:30 p.m. on the 8th day preceding the regular meeting.
- 12.2. The request to appear in delegation shall be in writing and shall include an indication of the number of people attending and the subject of their address. The Board reserves the right to request additional information before granting delegation status.
- 12.3. Upon receipt of a request, the Chief Librarian / CEO shall in writing confirm the time and place at which the delegation shall address the Board and also enclose these rules and procedures that relate to delegations.
- 12.4. Unscheduled delegations at a regular meeting will require a majority vote in order to proceed.
- 12.5. No delegation may speak on the matter for more than a total of fifteen (15) minutes, exclusive of the time required to answer questions posed by the Board.
- 12.6. Board members may ask questions of the delegation in order to seek clarification or ask for additional information only. Staff may also be asked to provide clarification or to confirm information.
- 12.7. In accordance with *MFIPPA*, notes taken of any presentation and/or written submission at the meeting, along with the delegation's name, will become part of the public record and will be published as part of the agenda and/or minutes of the meeting. These documents will also be posted to the Board's website and made

available to the media.

- 12.8. Delegations may not provide personal information (including views or opinions) about someone else, as defined in *MFIPPA* as “personal information”, without confirming in the presentation that prior agreement of that individual has been given.
- 12.9. Personal information about someone else, received in delegations, will not be published by the Board without the written permission of the identified individual, according to the requirements of *MFIPPA*.
- 12.10. If the issues or concerns are raised about a KFPL employee’s performance (other than that of the CEO) as part of a delegation, the Chair, after consultation with the Board, will direct the delegation first to the CEO’s office for resolution.
- 12.11. If the number of delegations exceeds what can reasonably be scheduled at any particular meeting, the Chair, after consulting with the Board, may move to:
 - a) defer a decision to a time at a regular meeting at which all the delegations can be heard, or
 - b) decide to hold a public participation meeting, rather than hear from delegations at a regular meeting.
- 12.12. After the delegation(s) have been heard at a regular meeting, the Board will move to take appropriate action, if necessary.

13. Presentations

- 13.1. Anyone invited by the Board to present a report or to address a Board matter shall form a presentation.
- 13.2. The Chief Librarian shall confirm in writing the time and place at which the presenters shall address the Board.
- 13.3. A maximum of fifteen (15) minutes shall be provided for each presentation.

14. Correspondence

- 14.1. Correspondence related to Board matters may be sent to the Kingston Frontenac Public Library Board or the Chief Librarian/Chief Executive Officer.
- 14.2. Correspondence is formally received at the Board meeting and becomes part of the record of the public Board meeting.

- 14.3. Personal information about the author of any correspondence will become part of the public record, as per *MFIPPA*.
- 14.4. Personal information about someone else, not the author of the correspondence, will not be published by the Board without written permission of the identified individual, as per *MFIPPA*.

15. Meeting Minutes

- 15.1. Once approved, minutes of meetings are the official record of decisions and provide direction for the Board and Staff.
- 15.2. Minutes are approved at the next meeting of the Board and signed by the Chair and Recording Secretary.
- 15.3. Approved minutes (excluding ~~in-camera~~ closed meeting minutes) are public documents and shall be made available to the public.
- 15.4. Minutes of closed meetings are kept separately and held to be confidential.

16. Amendment of By-laws

- 16.1. By-laws may be amended in response to legislation or when circumstances change.
- 16.2. Any member of the Board can propose a review or an amendment of a by-law.
- 16.3. All members of the Board will receive notice and details of by-law changes at the Board meeting prior to the meeting at which time a motion for amendment may be tabled.
- 16.4. Any of the preceding clauses of these By-laws may be repealed or amended by notice of motion given at any regular meeting of the Board. Approval of the motion to repeal or amend shall be by a two-thirds majority of votes cast at the next regular meeting of the Board.

Amended by Motion # on **March 22, 2023**.

KFPL Report to the Board

Subject: Collection Development Policy

Prepared by: K. Sutherland Mills, Director, Service Design and Delivery

Date of meeting: March 8, 2023

Background:

The Collection Development Policy is reviewed and approved annually by the Library Board.

Major changes were made to the policy in 2016 to remove procedural clauses and to modernize the policy.

Changes were made in 2021 to the Selection Criteria and Controversial Materials sections and to the Request for Review of Materials form. The 2020 revision of the Ontario Library Association Statement's on Intellectual Freedom and the Intellectual Rights of the Individual replaced the previous version.

In-depth discussion took place at the February 2, 2022 Committee of the Whole meeting around proposed updates that would increase dialogue with people requesting a review of materials, and have the responsibility for selection of materials rest solely with the Chief Librarian / CEO in keeping with the *Public Libraries Act* Section 15(2): "A Board shall appoint a chief executive officer who shall have general supervision over and direction of the operations of the public library and its staff...." It was felt that the Board should demonstrate support of the Chief Librarian and be clear that the Board's role is to set expectations and policy. A majority of Board members were in favour of delegates speaking to the Board to inform overall policy, but not regarding decisions about specific materials. Board members also requested that information reports on challenged materials be provided quarterly going forward.

The amended policy was approved by Board motion (#2023-11) at the February 16, 2022 regular meeting, and guidelines were developed by staff to ensure consistency and increase transparency in the Request for Review process.

Analysis:

The review process adopted in 2022 has worked well for the challenges received in the last year. No changes are needed to support library operations.

One edit is recommended to update the policy to include KFPL's revised mission as

adopted with the Strategic Plan.

Recommendation:

That the Board approve the revised Collection Development Policy.

Collection Development (DRAFT)

1. Purpose

The purpose of this policy statement is to clarify the criteria used for selecting and acquiring materials, as well as the responsibility for maintaining the collections.

2. Scope

The Collection Development Policy applies to all formats in the Library collection, including print, non-print, audio-visual and electronic materials.

3. Guiding Principles

~~The mission of the Kingston Frontenac Public Library is to make a positive difference in the lives of everyone in Kingston Frontenac. The Library's collections are one of the primary ways the mission is realized.~~ The mission of the Kingston Frontenac Public Library is to build and support community by creating inclusive spaces, services and collections that advance literacies and invite people to innovate, learn, explore and connect. The Library strives to provide a dynamic collection of materials that is regularly evaluated and available in a variety of formats to serve the needs and support the interests of all members of our community.

The Library aims to provide community-driven and community-focused collections. Community input is obtained through direct suggestions from the public, discussions with community groups and continuous evaluation of the needs of the various groups within Kingston and Frontenac County. Special consideration is given to materials with Kingston and Frontenac County authorship, content or relevance.

The Library endeavors to provide equitable access to its extensive collections through a multi-tiered service delivery model that rationalizes the location, scope and focus of collections. In addition, items may be delivered to any branch at the user's request. The materials budget is maximized through coordinated and controlled expenditure.

The Library does not keep, acquire or purchase material that the Canadian courts have found to be obscene, hate propaganda, seditious, or otherwise contrary to the Criminal Code and all applicable laws, including the Charter of Rights and Freedoms.

The Library's Collection Development Policy fundamentally depends on the Ontario Library Association's Statement on Intellectual Freedom and the Intellectual Rights of the Individual (2020). (See Appendix A)

4. Policy

4.1. Responsibility for Selection

The responsibility for the selection of material rests with the Chief Librarian/CEO who, in turn, delegates the selection and withdrawal of materials to the professional staff who are responsible for the collection on a day-to-day basis.

4.2. Selection Principles

The materials purchased for the Library are selected with the purpose of carrying out the mission, vision and values of the institution. To that end, the Library has established the following goals of selection:

- To maintain a well-balanced and broad collection of materials for information, enjoyment, reference and research
- To foster intellectual growth, lifelong learning and the formal and informal education and enlightenment of the community
- To provide materials for the recreational and leisure pursuits of the public
- To stimulate thoughtful participation in community affairs by providing access to a variety of opinions and ideas.

To assist in the process of selection, the following principles are used to judge the quality and the quantity of the items that are chosen:

- Contemporary materials representing various points of view, which are of current interest and possible future significance, including materials which reflect current conditions, trends and controversies
- Materials designed to increase the individual's ability to function effectively as a member of society
- Materials which provide access to practical information which develops the individual's dependence on self, thereby enhancing the quality of life
- Materials which provide an aesthetic experience, stimulate imagination and increase the individual's potential for creativity
- Materials, including the experimental or controversial, which may extend the individual's capacity to understand the world in which they live
- Materials which entertain and which may enhance the individual's enjoyment of life
- Source materials which thoughtfully interpret, document or illuminate the past

- In addition to English, French and Indigenous language materials, materials which reflect the diverse linguistic or cultural heritage of the community.
- Recognizing the responsibility to make works by Kingston Frontenac and Canadian writers widely available, the Library shall acquire Canadian materials in all categories.

4.3. Selection Criteria

When selecting materials for the collection, Library staff may consider:

Non-fiction

- Purpose and importance
- Authority and reputation
- Accuracy
- Style, clarity and presentation
- Access
- Format
- Need
- Demand
- Price
- Relationship to other items in the collection
- Quality of illustrations or art
- Reviews in library reviewing sources (e.g. *Publishers Weekly, Library Journal*)

Fiction

- Style
- Creativity
- Characterization
- Literary merit
- Appeal
- Demand
- Price
- Need
- Relationship to other items in the collection
- Quality of illustrations or art
- Reviews in library reviewing sources (e.g. *Publishers Weekly, Library Journal*)

Suggestions for purchase are welcomed from members of the public. All suggested purchases are reviewed by library staff who apply the same selection criteria that are applied to all other materials purchased by the Library.

4.4. Accessible Collections

Many of the resources available at the Kingston Frontenac Public Library are suitable for patrons with print disabilities.

Vision Enhancements:

- Downloadable audiobooks
- Downloadable eBooks – the settings can be adjusted with the majority of our downloadable eBooks to suit personal preferences for text size and typeface
- Books on CD
- DAISY (Digital Accessible Information System) books
- Large Print Books

Hearing Enhancements:

- Many DVDs have a sub-title option
- Many of our databases have text-to-speech capabilities

4.5. Children's Collections

The Library's children's collections serve children from infancy through age twelve. Materials for these collections reflect the wide range of reading and interest levels that this age group includes. The children's collections exist to encourage children to develop a lifelong habit of reading for both recreational and informational needs. Materials for children shall be chosen in accordance with the Kingston Frontenac Public Library's overall collection development policy.

4.6. Teen Materials

Teen materials are selected to meet the informational and recreational needs of teens aged thirteen through eighteen. An effort is made to provide materials that support the developmental stages of all teens. The teen collections are not intended to be comprehensive, serving all the needs and interests of teens, nor is it the Library's intention that teens should be confined to the use of these materials. Materials for teens shall be chosen in accordance with the Kingston Frontenac Public Library's overall Collection Development Policy.

4.7. Parental Responsibility

Responsibility for a child or teen’s choice and use of materials rests with their parent(s) or legal guardian(s). The Kingston Frontenac Public Library believes in the freedom of the individual, and the right and obligation of parents(s) or legal guardian(s) to guide, develop, interpret and maintain their own code of values in their family.

Library users of all ages have open access to the Library’s collections. Selection for the adult collection is not restricted by the possibility that children or teens may access materials their parent(s) or legal guardian(s) may consider inappropriate.

4.8. Textbooks/Homeschooling Needs

School libraries serve the curriculum needs of students. The Library does not attempt to acquire textbooks or other curriculum-related materials except as such materials may also serve the general public. The Library recognizes the need to provide a wide variety of cultural and recreational reading matter for students in traditional schools and those being homeschooled, and to provide basic materials for students seeking to complete assignments outside school hours.

4.9. Collection Maintenance

In order to maintain a current and relevant collection, it is necessary to withdraw materials from the library collections regularly and systematically. The following criteria are considered when withdrawing materials:

- Accuracy
- Timeliness
- Physical condition
- Frequency of use
- Availability of other copies
- Relevance to needs and interests of the community

If still needed, items may be replaced or rebound. Replacement depends on the demand for the title, the availability of more current materials on the topic and the extent of the coverage of the subject in the collection.

4.10. Review of Materials

The Kingston Frontenac Public Library Board regards an individual’s right of access to information through the public library as an important element of a democratic society. The presence of any material in the Library does not indicate an endorsement of its contents.

The content or manner of expressing ideas in material that is purposely selected to fill

the needs of some Library users may be considered to be offensive by other Library users. The Library recognizes the right of any individual or group to reject Library material for personal use, but does not accord to any individual or group the right to restrict the freedom of others to make use of that same material. While Library staff will attempt to guide individuals and groups to materials suitable for their use, the ultimate responsibility for the choice made by the patron lies with the patron and/or their parent(s) or guardian(s).

Requests for review of Library materials must be made in writing by submitting a Request for Review of Library Materials form (see Appendix B). Acknowledgement of the request will be sent within 2 business days and a written response will be sent within 30 days.

Requests for review will be formally reviewed by Library staff following the process outlined in the KFPL Guidelines for Requests for Review of Library Materials document. Their decision will be communicated to the requestor. Patrons who are not satisfied with the response will be invited to meet with the CEO and members of the review team.

The final decision on any challenge to the collection rests with the CEO.

As outlined in the KFPL by-laws, community members wishing to address the Board on issues relating to the collection policy and its future development may request to attend a Board meeting as a delegation.

Information reports on challenges to Library materials are provided to the Board quarterly.

Some of the Library's digital content is provided using third-party vendors and/or shared collections with other library systems. The Library subscribes to services in which the third-party vendor, and not Library staff, determines the specific titles or materials made available through the service. In these circumstances, the Library is unable to reconsider specific materials that Library users object to but may inform the third-party vendor or other library of user concerns and/or take these concerns into consideration in determining whether to continue using the vendor.

4.11. Labeling of Collections

The Library does not label materials to indicate approval or disapproval of the content. No catalogued book or other item will be placed on closed shelves, except due to space limitations or to protect it from damage or theft.

5. Related Documents

KFPL Guidelines for Requests for Review of Library Materials

6. Appendices

- a) Ontario Library Association (OLA) Statement on Intellectual Freedom and the Intellectual Rights of the Individual (2020)
- b) Request for Review of Library Materials form

7. Document Control

This policy shall be reviewed on an annual basis.

Original Policy Date: 2007 February

Last Reviewed: 2023 March

Changes Made: see report to Board dated March 8, 2023

Next Review: 2024 March

Appendix A:

Ontario Library Association Statement on Intellectual Freedom and the Intellectual Rights of the Individual

Introduction

The Ontario Library Association and its divisions are committed to the fundamental rights of intellectual freedom, the freedom to read and freedom of the press, as embodied in the Canadian Charter of Rights and Freedoms.

Ontario Libraries have the important responsibility to facilitate expressions of knowledge, creativity, ideas, and opinion, even when viewed as unconventional or unpopular.

The Ontario Library Association declares its acceptance of the following principles for libraries:

1. Equitable access to library service to the public is based upon the right of the citizen, under the protection of the law, to judge individually on questions of politics, religion and morality.
2. Intellectual freedom requires freedom to critically examine and create other ideas, opinions, views, and philosophy of life, other than those currently approved by the local community or by society in general and including those ideas and interpretations which may be unconventional, uncommon or unpopular.
3. The free traffic in ideas and opinions is essential to the health and growth of a free society and that the freedom to read, listen, view, and create is fundamental to such free traffic.
4. Library governance ensures that the principles of intellectual freedom and expression of thought are upheld.

Library Service, Collections and Resources

5. It is the responsibility of libraries to maintain the right of intellectual freedom and to implement it consistently in the selection of books, periodicals, films, recordings, and other materials including the provision of access to electronic sources of information and access to the internet. Materials are not excluded from library collections based on race, place of birth, origin, ethnic origin, ethnicity, citizenship, age, creed, disability, family structure, sex, and sexual orientation.

6. It is part of the library's service to its public to resist any attempt by any individual or group within the community it serves to abrogate, censor or curtail access to information, the freedom to read, view, listen or participate by demanding the removal of, or restrictions to library information sources in any format.

Library Programming, Events, and Space Bookings

7. It is the responsibility of libraries to maintain the right of intellectual freedom and expression by implementing it consistently when hosting programs and events within the public space of the library including rented public space by individuals and community organizations.
8. Libraries create welcoming community spaces where community members are free from discrimination and may engage in peaceful assembly. Libraries may cancel or deny permits to individuals or organizations when speech or displays are used in a way that is unlawful.

Applicable Legislation

[Canadian Charter of Rights and Freedoms](#): Section 2(b) of the Charter of Rights and Freedoms protects “freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication”.

[Criminal Code](#): Section 63 pertains to Unlawful Assemblies and Riots. Section 297 pertains to defamatory libel. Section 318 pertains to hate propaganda.

[Ontario Human Rights Code](#): Sub-section 13 pertains to infringing on freedom from discrimination.

Appendix B:**KFPL Request for Review of Library Materials**

The Kingston Frontenac Public Library Board regards an individual's right of access information, through the public library as an important element of a democratic society. All requests for reconsideration of material must be made in writing.

Completed Request for Review of Library Materials forms can be dropped off at any branch or emailed to collections@kfpl.ca. Acknowledgement of the request will be sent within 2 business days and a written response will be sent within 30 days.

Name: _____

Address: _____

Phone: _____ **Email:** _____

I represent: myself other: _____

Please confirm that you have read the following:

KFPL Collection Development Policy OLA Statement on Intellectual Rights & Freedoms

Item for Review:

Title: _____

Author/Publisher/Producer: _____

1. Did you read / listen / view the entire work?

yes no (*please explain*):

2. What do you find objectionable or unsuitable about the material? Please be specific (include page numbers if possible).

3. What do you feel might be the result of reading, viewing or hearing this material?

4. What would you like the Library to do about this material?

Signature: _____

Date: _____

KFPL Report to the Board

Subject: Community Engagement Policy and Toolkit

Prepared by: K. Sutherland Mills, Director, Service Design and Delivery

Date of meeting: March 8, 2023

Background:

In 2016 the Library Board struck an ad hoc committee composed of Library Board members and two members of the community to develop a community engagement policy and process. The Community Engagement Policy and Toolkit were approved by Board motion (#2017-28) at the March 22, 2017 Library Board meeting.

The Library Board changed the scope of the policy at the June 28, 2017 meeting when it passed the following motion: “That the Library Board exempt maintenance and repair issues from the community engagement process, except for the requirement to “inform” the public” (#2017-48). At the same meeting it was agreed that a group of board members would review the community engagement toolkit. Proposed revisions to the toolkit were included in the September 27, 2017 agenda. The revisions included reducing the number of questions and revising the assessment matrix to make it more basic, resulting in an assessment of low, medium, or high. The changes were approved by motion (#2017-59) at the September 27, 2017 meeting. At the same meeting it was agreed that because internal staff policies are between management and employees, they do not require community engagement.

The policy was approved with no changes in 2018, 2019 and 2020.

In 2021, the INCLUSION statement was updated.

In 2022, the scope of the policy was updated to clarify that the policy applies to higher-level decision-making rather than item-level choices regarding programs, collections and services. Outdated terminology related to “stakeholders” was updated, and guiding principles were clearly stated at the beginning of the policy and in the toolkit.

Analysis:

No changes are recommended.

Recommendation:

That the Board approve the existing policy and toolkit.

Community Engagement (DRAFT)

1. Purpose

The purpose of this policy is to ensure that community engagement is integrated into decision making and planning at KFPL. The policy also serves to ensure that community consultation is conducted in a manner that appropriately reflects the complexity, community interest and impact of KFPL decisions.

Community engagement is an important tool for building and sustaining community trust.

2. Scope

The policy applies to all KFPL services and operations, with the exception of maintenance and repair issues which are exempt except for the requirement to “inform” the public.

The policy applies to higher-level decision-making rather than item-level choices regarding programs, collections and services.

3. Definitions

“The community” and “interested parties” are defined as library users, individuals and/or communities, funding bodies or organizations that have an interest in the outcomes of a project or initiative.

4. Guiding Principles

4.1. Inclusion

We want to hear from and include all who have an interest in the outcome of a decision. The Library is committed to reach out to the rural and urban populations across our vast geographic areas. KFPL prioritizes relationship building outside of the formal engagement process and is actively building connections with agencies and grassroots groups that work with underserved and underrepresented populations. These connections will be leveraged during any community engagement process to ensure feedback includes those voices. We will maximize accessibility by utilizing a variety of engagement tools.

4.2. Respect

Our engagement with the community will take place in an atmosphere of mutual

respect.

4.3. Transparency

We will be open about decision processes, procedures and limits. We will communicate clearly in a timely and publicly accessible way. We will provide relevant background and context when informing or engaging the community about the initiative.

4.4. Clarity

We will be clear about defining the community's role in any public participation process. The promise, purpose and limitations on engaging the community and all interested parties will be clear.

4.5. Effectiveness

We will allocate sufficient resources to provide the appropriate level of engagement, use these resources wisely, setting and meeting reasonable timelines.

4.6. Responsiveness

At each stage of the process, we will report back to the community regarding what we heard. When an outcome has been determined, we will share how engagement results were used in decision-making.

5. Policy

The Community Engagement Toolkit shall be used to determine when and what level of community engagement is needed.

6. Communication

When communicating with the community, the Library will do so in accordance with the complexity and impact of the issue as determined by the Community Engagement Toolkit and in a manner that reflects the guiding principles.

Details of the project will be shared in plain language, and shall include what has been done so far, why engagement is needed, what is being considered, what are the constraints, and how input is going to be used. To build credibility and trust in the engagement process, interested parties will also need to understand:

- The overall engagement timeline
- Details of the engagement activities
- Who will be reviewing the input and making decisions
- Their role in the process

A clear communication plan will be developed to shape the whole engagement process and provide clear answers to community questions/concerns from the earliest stages to reporting back results.

The engagement plan will work together with the project's communication plan to generate awareness about the engagement opportunities.

7. Engagement Planning

The Library will utilize the Community Engagement Toolkit to help shape a plan for engagement. The engagement plan serves as a roadmap for the engagement process and helps clarify:

- Engagement goals and objectives
- What KFPL is seeking input on
- Who KFPL has identified as interested parties
- Details such as engagement scope, budget, timelines, dates, roles and responsibilities
- The Spectrum of Strategies and Promises level at which the community will be engaged
- Decisions that are not open to input

8. Reporting Back and Evaluation

KFPL will compile and consider feedback received and report back on:

- What was heard (pulling all sources of input together).
- What decision was made and how the input was used.
- If nothing was changed as a result of the feedback, why?

Raw data will be included in an Appendix in order for contributors to see their individual voices represented and ensure the reporting is an accurate reflection of the data.

Evaluation is important for continuous improvement. KFPL will evaluate both the engagement process and engagement outcomes, documenting lessons learned that can be applied to future projects, refining and improving our engagement efforts and approach.

9. Related Documents

KFPL Community Engagement Toolkit (internal use only)

10. Document Control

Original Policy Date: 2017 March

Last Reviewed: 2023 March

Changes Made: see report to Board dated March 8, 2023

Next Review: 2024 March