

CODE OF ETHICS FOR OFFICERS

I. Section 1. Purpose.

The Board of Trustees of the Guilderland Public Library of Guilderland, New York (“Library”) recognizes that there are rules of ethical conduct for public officers which must be observed if a high degree of moral conduct is to be obtained and if public confidence is to be maintained in our unit of local government. Therefore, pursuant to the provisions of section 806 of the General Municipal Law, the Board of Trustees hereby promulgates these rules of ethical conduct for the officers of the Guilderland Public Library. These rules of ethical conduct as adopted shall not conflict with, but shall be in addition to any prohibition of Article Eighteen (18) of the General Municipal Law or any other general or special law relating to ethical conduct and interest in contracts of municipal officers.

II. Section 2. Definitions.

- A. “Officer” shall mean a member of the Board of Trustees, officer or agent of the Guilderland Public Library, whether paid or unpaid, including members of any administrative board, committee or other agency thereof.
- B. “Interest” shall mean a direct or indirect financial or other material benefit accruing to an officer as the result of a contract or agreement with the Library. For purposes of this policy, a municipal officer shall be deemed to have an interest in the contract of (1) his/her spouse, minor children and dependents; (2) a firm, partnership or association of which such officer is a member or employee; (3) a corporation of which such officer is an officer, director or employee; and (4) a corporation of which five percent or more of outstanding stock is owned or controlled directly or indirectly by such officer.

III. Section 3. Standards of Conduct.

- A. The Board of Trustees and each individual trustee will:
 - (1) Promote the highest level of service to all library users through appropriate and usefully organized resources. Further, officers will promote equitable service policies, equitable access, and accurate, unbiased, and courteous responses to all requests;
 - (2) Uphold the principles of intellectual freedom and responsibly consider any effort to censor library resources;
 - (3) Support the availability of materials in the library collection with the widest range of views and expressions, including those which are unorthodox or unpopular with the majority;
 - (4) Protect each library user’s right to privacy and confidentiality with respect to information sought or received and resources consulted, borrowed, acquired or transmitted consistent with existing law;

- (5) Recognize and respect intellectual property rights;
- (6) Treat fellow officers, library employees and volunteers with respect, fairness and good faith, and advocate conditions of employment that safeguard the rights and welfare of library employees;
- (7) Avoid situations in which personal interests might be served or financial benefits gained at the expense of library users, colleagues, or the library;
- (8) Distinguish clearly in their actions and statements between their personal philosophies and attitudes and those of the institution, acknowledging the formal position of the board even if they personally disagree; and
- (9) Strive for excellence as an officer by maintaining and enhancing one's own knowledge and skills, by encouraging the professional development of employees, and by fostering the aspirations of potential members of the profession.

B. Every officer of the Library shall abide by and be subject to the following standards of conduct:

- (1) Gifts. (S)he shall not, directly or indirectly, solicit any gift, or accept or receive any gift having a value of seventy-five (\$75) dollars or more, whether in the form of money, services, loans, travel, entertainment, hospitality, thing or promise, or in any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence him/her, or could reasonably be expected to influence him/her, in the performance of his/her official duties or was intended as a reward for any official action or inaction on his/her part.

It is recognized and understood that an exchange of gifts is a holiday tradition. Nothing herein should be construed as prohibiting such an exchange, provided discretion is used to ensure that gifts of value are not accepted by officers. Gifts that are principally sentimental in nature and of insignificant financial value may be accepted in the spirit in which they are given.

- (2) Confidential Information. (S)he shall not disclose confidential information acquired in the course of his/her official duties or use such information to further his/her personal interests. In addition, (s)he shall not disclose information regarding any matters discussed in an executive session of the Board of Trustees, whether such information is considered "confidential" or not.
- (3) Compensation for Services Rendered. (S)he shall not receive or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before the Library.
- (4) Disclosure of interest in matters or resolutions before the Board of Trustees. To the extent that (s)he knows thereof, any officer of the Library, that now has, will have or later accepts an interest in or whose spouse has, will have or later acquires an interest in any (a) actual or proposed contract, (b) purchase agreement, (c) lease agreement or other agreement, including oral agreements, with the Library, or who participates in the discussion or gives official opinion to the Library on any matter or resolution before the Library, shall immediately and publicly disclose, in writing to the Board of Trustees, the nature and extent of any direct or

indirect financial or other private interest (s)he has in such matter or resolution.

It is incumbent upon any officer to disqualify himself/herself immediately whenever the appearance of or a conflict exists.

- (5) Investments in conflict with official duties. (S)he shall not invest or hold any investment directly or indirectly in any financial, business, commercial or other private transaction, which creates a conflict with his/her official duties.
- (6) Private employment. (S)he shall not engage in, solicit, negotiate for or promise to accept private employment or render services for private interests when such employment or service creates a conflict with, or impairs the proper discharge of, his/her official duties.
- (7) Future employment. (S)he shall not, after the termination of service with the Library, appear before the Board of Trustees, Board committee or any other agency of the Library, in relation to any case, proceeding, agreement or application in which (s) he personally participated during the period of his/her service or which was under his/her active consideration.
- (8) Conflicts of Interest Prohibited. Except as provided below, (s)he shall not have an interest in any contract with the Library when (s)he, individually or as a member of the Board, has the power or duty to (a) negotiate, prepare, authorize or approve payment thereunder; (b) audit claims or bills under the contract; or (c) appoint an officer or employee who has any of the powers or duties set forth above. No chief fiscal officer, treasurer, or a deputy, shall have an interest of more than 5% in a bank or trust company designated as a depository, paying agent, registration agent or for investment of funds of the Library.
- (9) Exceptions. The provisions of (8) above shall not apply to:
 - (a) the designation of a bank or trust company as a depository, paying agent, registration agent or for investment of funds, except when the chief fiscal officer, treasurer or a deputy, has an interest in such bank or trust company;
 - (b) procurement, preparation or performance of any part of such contract with a person, firm, corporation or association in which (s)he has an interest which is prohibited solely by reason of employment as an officer or employee thereof, if the remuneration of such employment will not be directly affected as a result of such contract and the duties of such employment do not directly involve the procurement, preparation or performance of any part of such contract;
 - (c) the designation of a newspaper, including but not limited to an official newspaper, for the publication of any notice, resolution, ordinance or other proceeding where such publication is required or authorized by law;
 - (d) a contract with a membership corporation or other voluntary non-profit corporation or association;
 - (e) the sale of bonds and notes pursuant to Section 60.10 of the local finance law;
 - (f) a contract in which (s)he has an interest, if such contract was entered into prior to the time (s)he was elected or appointed, but this shall in no event authorize a renewal of any such contract;
 - (g) ownership of shares of stock of less than 5% in a publicly traded company;

(h) any other exceptions as specified in Article 18 of the General Municipal Law or any other general or special law relating to ethical conduct and interest in contracts of municipal officers.

C. Any officer who has knowledge of a violation of the Code of Ethics by any other officer shall report such information to the President of the Board of Trustees, unless the matter involves such individual and then to the Vice President of the Board. In the case of a violation by an employee, such information is to be reported to the President of the Board and to the Director.

IV. Section 4. Lawful Benefits.

Nothing herein shall be deemed to bar or prevent the timely filing by a present or former officer of any claim, account, demand or suit against the Library arising out of any personal injury or property damage or for any lawful benefit authorized or permitted under the laws of the State of New York.

V. Section 5. Distribution of Code of Ethics.

(a) The President of the Board of Trustees shall distribute a copy of this Code of Ethics to every officer of the Guilderland Public Library within 10 days of its enactment. Each officer elected or appointed thereafter shall be furnished with a copy before entering upon the duties of his/her office. Failure to distribute any such copy or failure of any officer to receive such copy shall have no effect on the duty of compliance with this code.

(b) Upon assuming the position of officer, and annually thereafter, each officer shall acknowledge by signature the receipt of and reading of the Code of Ethics.

VI. Section 6. Penalties.

In addition to any penalty contained in any other provision of law, any person who shall knowingly and intentionally violate any of the provisions of this code may be suspended or removed from office in the manner provided by law.

CODE OF ETHICS FOR OFFICERS POLICY CERTIFICATION

This is to certify that I have received a copy of the Guilderland Public Library Code of Ethics for Officers Policy, and that I have read and understand the policy.

Signature: _____

Date: _____

Printed Name: _____

Guilderland Library Position/Title: _____

POLICY