

BELS Consortium Bylaws

(4/30/18)

BELS CONSORTIUM BYLAWS

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BELS CONSORTIUM BYLAWS

ARTICLE I

Section 1. Name of Organization: This organization shall be called "Bergen Electronic Library for Schools Consortium for School Library Media Centers" (hereafter designated "BELS").

Section 2.1. Purpose: The purpose of BELS is to provide networked computer software such as online public access catalog (OPAC), circulation and database management, promote resource sharing and other mutually determined cooperative activities among the member school library media centers, and shall have the power to fulfill other educational purposes consistent with 501(c)(3) of the Internal Revenue Code of 1986 (or the corresponding provision of any future United States Internal Revenue Law).

Section 2.2. Mission: The nonprofit BELS Consortium for School Library Media Centers (BELS) is an organization based on cooperation and collaboration that empowers school libraries/media centers and their staffs to better serve their students.

Section 2.3. Definitions: The following terms are hereby defined:

- (a) **Full Membership.** A condition of membership whereby a member is in complete compliance with all qualifications of membership, as set forth in *Article I, Section 3.1* of these Bylaws, and all obligations, as set forth in *Article I, Section 3.2(a)* of these Bylaws. Full members are eligible for all BELS services, as set forth in *Article I, Section 4* of these Bylaws.
- (b) **Partial Membership.** A condition of membership whereby a member is in complete compliance with all qualifications of membership, as set forth in *Article I, Section 3.1* of these Bylaws, and all obligations, as set forth in *Article I, Section 3.2(b)* of these Bylaws. Partial members are eligible for select BELS services, as set forth in *Article I, Section 4* of these Bylaws.

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Section 3.1. Qualifications for Membership:

- (a) **New Jersey Media Centers.** Full or partial membership in BELS is open to any public or private school association having a primary location in northeastern New Jersey and meeting the following qualifications:
 - (i) All school library media centers shall be under the direction of a full-time “School Library Media Specialist” (SLMS). For the purposes of these bylaws, the term “School Library Media Specialist” (SLMS) shall mean a librarian who holds or is in the process of acquiring a school library media specialist certificate pursuant to N.J.S.A. 18A:26-2 et seq. and N.J.A.C. 6A:9-5.2(b). For the purposes of these bylaws, an SLMS shall be “full-time” if such person is employed at the member school district for not less than 20 hours per week.
 - (ii) The member media center shall not charge its students for BELS reciprocal borrowing or any of the other services provided by BELS.
- (b) **Other Media Centers.** Full or partial membership in BELS is open to any public or private school association, provided that:
 - (i) Such member media center meets all of the qualifications set forth in paragraph (a)
 - (ii) Such member media center is approved by a majority of the Consortium Council by resolution following recommendation by the Executive Board.
- (c) **Failure to Meet Qualifications.** Any member media center that fails to meet the qualifications for full or partial membership set forth in Section 3.1 shall be subject to the consequences and procedures set forth in Section 5 of these bylaws.

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Section 3.2. Obligations of Membership:

- (a) Each full member of BELS shall have the following obligations:
 - (i) All monetary fees and charges due to BELS from a member must be paid in full at the time and in the manner set forth in the Policies and Procedures adopted by the Executive Board.
 - (ii) Each member media center is required to fill out and return the annual Media Center Survey conducted by BELS by the specified date.
 - (iii) Each year the Media Center Specialist of each member media center and the principal or district supervisor of each member school must sign and file with BELS a "Letter of Agreement" that the member media center is in compliance with the requirements of membership, the bylaws, and the Policies and Procedures of BELS. This signed "Letter of Agreement" is to be received no later than June 30th of each year.
 - (iv) Each year at least one member media center from each member school district shall receive inter-library loan delivery service managed by a pre-approved organization. Approval for such an organization can only be granted through a simple majority vote by the Executive Board.
 - (v) It is a requirement of all members to agree to lend materials and have the right to borrow materials from other member libraries.

- (b) Each partial member of BELS shall have the following obligations:
 - (i) All monetary fees and charges due to BELS from a member must be paid in full at the time and in the manner set forth in the Policies and Procedures adopted by the Executive Board.
 - (ii) Each member media center is required to fill out and return the annual Media Center Survey conducted by BELS by the specified date.
 - (iii) Each year the Media Center Specialist of each member media center and the principal or district supervisor of each member school must sign and file with BELS a "Letter of Agreement" that the member media center is in compliance with the requirements of membership, the bylaws, and the Policies and Procedures of BELS. This signed "Letter of Agreement" is to be received no later than June 30th of each year.

- (c) Failure to meet these obligations shall result in action by the Executive Board to ensure that these obligations are met or membership terminated.

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Section 4. Benefits of Membership: Full members are entitled to share in all of the benefits of the network established and maintained by BELS to enhance the operation of a member's library services. Partial members are entitled to share in only the benefits of the network established and maintained by BELS which are agreed upon by both the BELS Executive Board and the partial member's governing body. The BELS staff shall endeavor to provide equitable services to each member.

Section 5. New Members: Libraries applying for admission must present evidence of meeting the requirements of this Article.

Section 6. Withdrawal, Reduction in Privileges and Termination of Membership:

- (a) **Withdrawal of Membership.** To withdraw, a member media center must provide six (6) months (180 days) written notice to the Consortium Coordinator. Withdrawal at any time shall include forfeiture of any funds, equipment, or services to which the media center may have been entitled. Any media center that withdraws from BELS shall be entitled to a suitable copy of its machine readable records (MARC) in the database at the cost of downloading, according to an annually set schedule of fees.
 - (i) If six (6) months (180 days) written notice to the Consortium Coordinator is not given, the Executive Board shall hold a hearing to reach a decision regarding monetary penalties within thirty (30) days beyond the date of withdrawal notice. The hearing may be conducted, at the discretion of the Executive Board, by a committee consisting of not less than three (3) members of the Executive Board appointed by a majority vote of the Executive Board. Such committee, if authorized, shall render written recommendations to the Executive Board containing findings of facts and recommended conclusions.
 - (ii) All monetary penalties shall be calculated using the most current monthly rate of BELS services associated with the violating member media center. This monthly rate shall be known as the Penalty Rate.
 - (iii) If a simple majority of the Executive Board finds a member to be in violation of Article I, Section 6(a), the total monetary penalty shall not exceed an amount greater than the Penalty Rate multiplied by the number of full months (thirty-day periods) in which late notice of withdrawal was given to BELS.

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- (b) **Removal from Membership.** Any member of the Executive Board or any member of the Consortium Council may bring to the Executive Board written charges of non-compliance of a member with the qualifications and obligations of membership set forth in Sections 3.1 and 3.2 of these bylaws. The Executive Board shall consider the incidents of non-compliance and make a determination based on the following:
- (i) Fact-finding shall be conducted to determine the validity of the incidents of non-compliance.
 - (ii) If the charges are found to be valid, a written notice addressed to the Consortium Coordinator and President shall be filed against the non-compliant media center. Included in said written notice shall be a hearing date, not to exceed thirty (30) days beyond the date of the notice.
 - (iii) The Executive Board shall hold a hearing and reach a decision within thirty (30) days of the hearing. The hearing may be conducted, at the discretion of the Executive Board, by a committee consisting of not less than three (3) members of the Executive Board appointed by a majority vote of the Executive Board. Such committee, if authorized, shall render written recommendations to the Executive Board containing findings of facts and recommended conclusions.
 - (iv) If the charges are found to be accurate, the non-compliant media center shall be given an additional thirty (30) days to present a plan to conform to the bylaws. Such plan shall be subject to the approval of the Executive Board.
 - (v) If the non-compliant media center fails to present a plan, or, having presented a plan fails to conform to the approved plan within the time periods set forth in such plan, or otherwise continues to be non-compliant, the Executive Board shall make a recommendation to the Consortium Council of either a reduction in privileges until such time as there has been compliance or termination of the membership of the non-compliant member media center.
 - (vi) If the recommendation of the Executive Board is termination of membership, a special Consortium Council meeting shall be called. Written notice explaining the purpose of this meeting shall be provided to the membership at least ten (10) days before the meeting.
 - (vii) If the Consortium Council shall vote by a three-fourths (3/4) majority of all members of the Consortium Council for removal, it shall be effective at the end of the current school year.

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ARTICLE II

Section 1. Consortium Council: The Consortium Council shall consist of the SLMS's of the full member media centers or their designated delegate. It shall meet at least four (4) times each school year. It shall be responsible for election of members to the Executive Board and shall vote on policies and other matters, including the budget, brought to its attention by the Executive Board. A simple majority of members of the Consortium Council shall constitute a quorum at all meetings.

Section 2. Executive Board:

- (a) **Election and Term:** The Board of Trustees shall hereafter be referred to as the Executive Board, which shall consist of five (5) members, all of which shall be school library media specialists from the Consortium Council.

One (1) position on the Executive Board shall be comprised of a school library media specialist from a school which at least contains grades ten (10) through twelve (12). One (1) position on the Executive Board shall be comprised of a school library media specialist from a school which at least contains grades seven (7) through eight (8). One (1) position on the Executive Board shall be comprised of school library media specialists from a school containing grades under six (6).

Nominations for Executive Board Members shall be made at the first Consortium Council Meeting of each school year. The Consortium Council shall elect the Executive Board by a majority vote no later than two (2) weeks after the first Consortium Council Meeting of each school year.

- (b) **Duties:** The Executive Board shall have the authority and responsibility to recommend the annual budget and schedule of fees, with input from the Consortium Coordinator, to the Consortium Council for approval; develop and recommend policies and programs, with input from the Consortium Coordinator, to the Consortium Council for approval; recommend plans and priorities for program development, with input from the Consortium Coordinator, to the Consortium Council for approval; advise the Consortium Coordinator on the interpretation of policies, plans, and budget schedules, as approved by the Consortium Council; and authorize the operating procedures for the implementing of the same. The Executive Board shall meet at least four (4) times each school year.

Section 3. Vacancies on Executive Board: Any vacancies on the Executive Board occurring between the first Consortium Council Meetings of each school year shall be filled by a general election to complete the unexpired term not later than thirty (30) days after the vacancy occurs. At the discretion of the President, an email ballot may be substituted for a general election at a Consortium Council Meeting.

Section 4. Voting: Each member of the Consortium Council shall be able to cast one (1) vote whenever a vote is necessary. In the event a vote results in a tie, the President shall cast an additional and deciding vote. Electronic votes shall always be an acceptable form of voting.

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ARTICLE III

Section 1. Personnel: The authority and responsibility for the selection, appointment, and assigned duties of the Consortium Coordinator is delegated to the Executive Board of BELS. The Consortium Coordinator shall serve on a year-to-year contract with BELS. The Consortium Coordinator recruits and recommends to the Executive Board individuals to be hired. The Executive Board, acting on the Consortium Coordinator's recommendation, makes the final employment decision. The Consortium Coordinator shall ensure that all Executive Board members receive a printed agenda and minutes of all Executive Board and Consortium Council meetings, and shall also serve in the capacity of Treasurer and Secretary of the organization.

Section 2. Office of President:

- (a) **Election and Term:** The Consortium Council shall elect a President from among the Executive Board members after the election of the Executive Board. The President shall be elected for a two-year term. (See ARTICLE II, Section 3. Vacancies.)

The President of the Executive Board who fails or is unable to perform the duties imposed by the Executive Board may be removed from office by three-fourths (3/4) vote of the remaining members.

- (b) **Duties:** The President shall preside over all regular and special meetings of the Executive Board and the Consortium Council, and may call special meetings when necessary. The President, with the approval of the Executive Board, shall appoint at least three (3) members of the Consortium Council to standing and ad hoc committees. The President is authorized to sign all contracts and to receive funds within the plans and budget approved by the Consortium Council. The President may serve as an ex-officio member of any committee, and may chair a committee only with Board approval.

Section 3. Office of Vice-President:

- (a) **Election and Term:** The Executive Board shall select a Vice-President no longer than two (2) weeks after the President has been elected. Nominations may be presented and seconded by any member of the Executive Board. Voting shall be by open ballot unless otherwise designated by a majority vote of those present. A majority vote (3) of the full membership of the Executive Board shall be required for the election of a Vice-President.

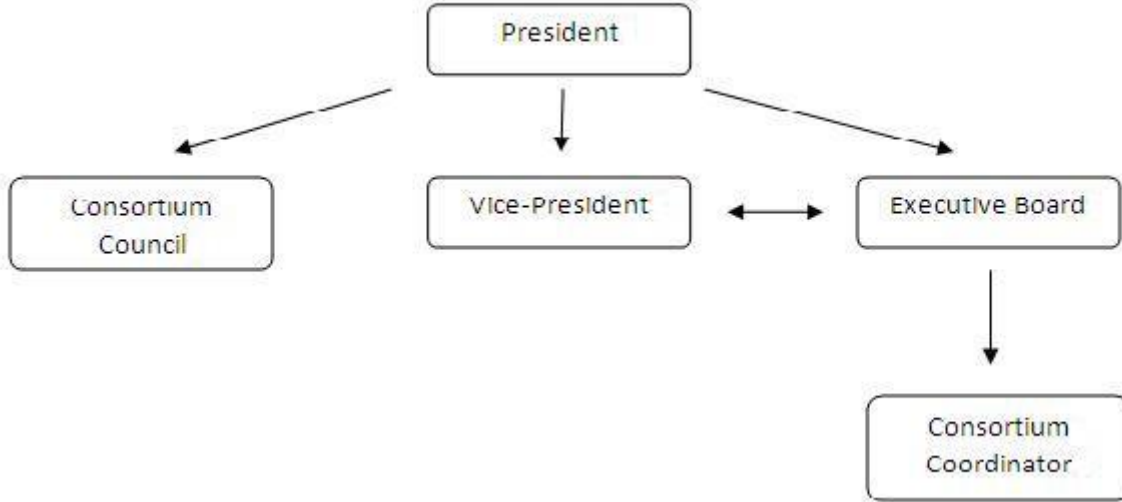
The Vice-President shall be elected for a two-year term, beginning in the election year 2019. If for any reason the position becomes vacant, the Executive Board must elect a new Vice-President to fill the unexpired term not later than thirty (30) days after the vacancy occurs.

The Vice-President who fails or is unable to perform the duties of the office may be removed from office by a three-fourths (3/4) vote of the remaining members.

- (b) **Duties:** The Vice-President shall assume the duties of the President if the President is temporarily unavailable.

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Section 4. Table of Organization: By a majority vote, the Consortium Council may amend the following Table of Organization:



ARTICLE IV

Section 1. Committees: The Executive Board may function as a committee of the whole, may use the standing committees, or may establish additional standing committees.

The President, in consultation with the Consortium Coordinator and the Committee Chair, shall appoint at least three members to the standing committees. The President may establish ad hoc committees for specific purposes. No committee shall have other than advisory powers unless, by simple majority Executive Board vote, it is granted specific power to act.

All other committees in existence at the time these Bylaws are adopted shall continue with current written charges until such time as the Executive Board shall vote to terminate the committee(s).

ARTICLE V

Section 1. Amendments to Bylaws: The bylaws may be added to, amended, or changed. Any addition or changes to the bylaws may be recommended at any meeting of the Executive Board and introduced at a Consortium Council Meeting. The bylaws may then be amended at a meeting of the Consortium Council by a two-thirds (2/3) vote.

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ARTICLE VI

Section 1. Policies: Policies may be adopted or amended at any regular meeting of the Executive Board by a majority of those present. The budget, which runs from July 1 to June 30 every year, and other policy matters shall be referred to the full Consortium Council for approval. Suggestions for policy changes may be brought to either the Executive Board or the Consortium Council. The Treasurer shall propose the budget and annual fees to the Executive Board by April 1 of each school year. The budget shall be voted on by the Consortium Council at the final Consortium Council meeting of the school year.

The Consortium Council shall have the authority and responsibility to:

- (a) approve and authorize the annual budget and schedule of fees;
- (b) approve and authorize policy and program implementation;
- (c) approve priorities and plans for program development;
- (d) suspend or nullify the actions of the Executive Board in matters related to the appointment, discipline, or termination of the Consortium Coordinator.

Such suspension or nullification shall require a two-thirds (2/3) vote of the total membership. Such vote shall be taken at a special meeting called for that purpose. The special meeting shall be held within forty (40) days of the relevant actions taken by the Executive Board.

ARTICLE VII

Section 1. Meetings: The agenda and all proposed policy changes requiring a vote shall be sent to the members at least ten (10) days prior to any Consortium Council meeting.

ORDER OF BUSINESS

1. Call to Order
2. Approval of Minutes
3. Correspondence (Executive Board meetings only)
4. Treasurer's Report
5. President's Report
6. Consortium Coordinator's Report
7. Committee Reports
8. Old Business
9. New Business
10. Adjournment

NOTE: An open meeting statement shall be a part of the Consortium Council and Executive Board minutes.

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ARTICLE VIII

Section 1. Investments and Income: The Executive Board shall deposit any extra income into the official BELS bank account with the sole intention to have the ability to absorb unforeseen expenses. The BELS Consortium shall not invest in any assets, including but not limited to certificates of deposit, bonds, stocks, mutual funds, securities, or real estate.

ARTICLE IX

Section 1. Devices, Grants, and Bequests: BELS may apply for and/or receive devices, grants, and bequests. The President and/or Consortium Coordinator shall serve as custodian of the funds or gift if acceptance of the award and its use has been approved by a vote of the majority of the Executive Board.

ARTICLE X

Section 1. Parliamentary Procedures: Robert's Rules of Order shall be the authority for any matters not specifically covered by the bylaws.

ARTICLE XI

Section 1. Dissolution Clause: Upon the dissolution of BELS, the Executive Board shall, after paying or making provision for the payment of all the liabilities of BELS, dispose of all of the assets exclusively for the purposes of BELS in such manner, or to such organizations organized and operated exclusively for charitable, educational, religious, or scientific purposes as shall at the time qualify as an exempt organization or organizations under section 501(c)(3) of the Internal Revenue Code of 1986 (or the corresponding provision of any future United States Internal Revenue Law). Upon the dissolution of BELS, members shall be entitled to a suitable copy of its MARC records in the database at the cost of downloading according to an annually set schedule of fees, after paying or making provision for the payment of all liabilities to BELS.

ARTICLE XII

Section 1. Limited Power Clause: Notwithstanding any other provision of these articles, BELS shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from Federal income tax under section 501 (c)(3) of the Internal Revenue Code of 1986 (or the corresponding provision of any future United States Internal Revenue Law) or (b) by a corporation, contributions to which are exempt or deductible under section 170 (c)(2) of the Internal Revenue Code of 1986 (or the corresponding provision of any future United States Internal Revenue Law).