

Persons Under 18: Serving on Alberta Public Library Boards

Recently, several municipal councils in Alberta have expressed interest in appointing a trustee to their municipal library board to represent young people in their community. Some councils have set age guidelines around this position, which may lead to the council appointing a library board trustee under the age of eighteen.

Library Board Responsibilities

Municipal library boards in Alberta are governing corporations, with full management and control over their public libraries. The responsibilities of these boards include:

- To provide library service that meets local needs
- To create policies and plans that enable good library service and good management of the library
- To obtain adequate funding and budget the library's expenditures
- To communicate with and respond to the community and municipal council
- To employ a competent library manager, giving direction and evaluating performance
- To promote and support the library, and to advocate on behalf of the library
- To stay informed of library issues, trends and developments
- To be part of the larger library community, in Alberta and beyond

Common Law Responsibilities

In addition, individual board trustees have a number of common law responsibilities:

- A library trustee is expected to manage the affairs of the library with the same degree of

skill, hard work and care he or she brings to their own affairs.

- A library trustee has a duty to become informed about the business of the board, including applicable legislation and what is required in order to be an effective trustee.
- A library trustee must keep confidential private information he/she learns as a result of their activity as a trustee and may not personally benefit from it, either during the term or after.
- A library trustee must put the best interests of the board before his/her own or any other.
- A library trustee may not make advance agreement with another person or organization to vote a certain way.
- If a library trustee stands to make a personal profit from any activity of the board, he/she must declare his/her interest and may not participate in discussion or vote in relation to it.

All board members including those under the age of 18 are personally responsible to uphold these common law responsibilities. Board members, or potentially the parents of minor board members, can be held individually liable if they do not do so.

Ethical Obligations

Board trustees also have the following ethical obligations:

- A library trustee must want to serve as a trustee.
- A library trustee must endorse, without reservation, the mission of the library board.
- A library trustee must believe in the value of libraries.

Conclusion

We do not believe that there is any clause in the *Libraries Act* or the *Interpretation Act* of Alberta that would prevent a minor from being appointed to a municipal library board. It is conceivable that a person under the age of 18 could be just as capable of fulfilling the legal and ethical obligations of a library board trustee as a person over the age of 18 could be.

However, municipal councils should remember that any library board trustee appointed under the *Libraries Act* is automatically a full member of a governing board, with the same rights and responsibilities as any other board trustee. Municipal councils should take the same care when recruiting board trustees under the age of 18 as they would in recruiting any board trustee. Council must be confident that a new trustee can fulfill all of his or her legal and ethical responsibilities, no matter what the age of that trustee.

Councils and library boards should also be aware that there are other means to allow regular youth input at library board meetings. The *Libraries Act* states that all library board meetings must be open to any member of the public. The board could invite one or more young people to attend board meetings and give input on library programs and operations. This allows the board to hear youth perspectives on a regular basis without appointing a minor as a board trustee.

For more information, please contact the Public Library Services Branch at (780) 427-4871 or libraries@gov.ab.ca