

WORKING WITH AND GUIDING THE LIBRARY DIRECTOR

Evaluating the Library Director

The annual evaluation of the library director is an opportunity for the board and director to mutually evaluate progress and cooperatively determine the next year's priorities. However, in addition to the formal evaluation, the library will benefit from a process of continuous feedback offered in a positive manner. Regularly touching base helps the director to know and understand board expectations as he or she works towards achieving the priorities established in the annual and long-range plans. In order to accomplish this continuous give and take, the board must generate a supportive, non-threatening environment so the director is sustained as he or she may report "good news" as well as "bad news."

The most effective evaluations are centered on the agreed upon priorities and activities contained in the annual operations work plan. The annual plan includes measurable objectives that are jointly established by the board and the director. One of the results of the formal annual evaluation will be a new, specific plan of work for the director.

An evaluation needs to take into account the full range of responsibilities contained in the directors' job description. It also needs to take into account the differing constituencies that a director works with in the community, in government, other libraries, and in the library itself. Obviously, constituencies are likely to have different viewpoints and the board needs to objectively determine what weight differing viewpoints may carry in an evaluation.

Probationary Period and Work Plan

For a newly hired director, a typical probationary period is twelve months. The board and director need to agree on goals and the work plan as one of the first actions after the director arrives. The initial work plan should take into account the learning curve of a new director as well as the skills that the new director brings. It will be the basis for formal and informal reviews during board meetings.

Mid-Point and Final Probationary Evaluation

A mid-point probationary evaluation is an opportunity to jointly assess progress as well as talk about concerns of either the board or director. After six months the board and director should have had time to establish working styles, and be able to make initial assessments of progress on the director's plan of work. If the board does have some concerns, this is the time to make their expectations clear and specify the changes or improvements that they wish to see before the end of the probation period. Board meetings should then review progress towards meeting those changes or improvements.

Based on the contractual agreement with the new director, the final probationary evaluation will determine whether the library will retain the library director. However, if the situation is not satisfactory, the board must have objectively documented the causes for dismissal prior to the final probationary evaluation.

Developing the Annual Work Plan With the Library Director

The annual work plan is a statement of specific objectives/tasks to be accomplished. The board and director jointly develop this list of measurable objectives and timelines. The director may be directly responsible for accomplishing some objectives and may delegate others.

This approach provides the ability to evaluate the director based on demonstrable accomplishments rather than on a subjective appraisal of personality traits.

The director should make regular progress reports to the board, including a six-month discussion of progress that may result in some revisions in the work plan.

Informal and Annual Evaluations

Within the context of regular board meetings there are continuing opportunities for informal evaluation. For example, progress reports will demonstrate whether the annual goals and objectives are being met within the projected timelines. This analysis may result in new directions or re-dedication to existing plans.

The annual evaluation is a formal process involving the entire board, resulting in a written evaluation. It is both an opportunity to give credit for a job well done, and a vehicle for developing clear understanding of the board's expectations and/or concerns, and the library director's expectations and/or concerns.

Developing the Evaluation Process

The following description of a process for developing the work plan and evaluation with the director appears in the *Idaho Library Trustee Manual*. Establishing a clear process, such as the following, helps build a positive environment for the evaluation.

- Board and director jointly develop a list of factors that lend themselves to an objective evaluation.
- Board develops general evaluation method, criteria, rating scale and form. Board and director identify goals, long-range plans and specific areas that need attention.
- Director prepares a set of objectives with time line. Board reviews objectives, suggests changes if appropriate.
- Board and director negotiate changes in objectives.
- Objectives are written and confirmed.
- Director handles implementation of actions to meet objectives, including delegation of tasks to staff.
- Periodic report by director to board on progress toward achieving objectives monthly and annually.
- Revisions to objectives are negotiated between board and director as needed.
- Annual formal evaluation review followed by a planning session to develop the basis for the next review.
- Periodic feedback from the board to the director.
- Process repeated.

Evaluation is a Consensus

The written evaluation should be a consensus of all board members. The board writes their evaluation after reviewing and discussing with the director the director's report and other relevant information. The written evaluation is reviewed and discussed with the director at a board meeting that may be held in executive session.

Although the director works with a number of constituencies, and the evaluation can be designed to gather information from these groups, the final responsibility for the evaluation rests with the board. The board should work with the director to recognize the constituencies and agree how to weigh what might be conflicting expectations.

Context of the Evaluation

Evaluation should be accomplished separately from a discussion of salary.

The evaluation should be based on the director's annual work plan that is derived from the library's annual and long-range plan. It also addresses the entire context of the director's responsibilities including:

- Building strong relationships with local community, other governmental units, library staff, and other local libraries.
- Long-range and short term planning.
- Budget preparation and fiscal management.
- Personnel management and support for continuing education of staff.
- Collection development.
- Implementing state-of-the-art technology.
- Marketing library services.
- Support of the library board, such as developing recommended policies for board consideration, presenting accurate budget and status reports, and providing information for decision-making, etc.
- Implementing board decisions.
- Planning for and support of physical facilities.
- Professional development and participation in professional associations.

The evaluation may include some discussion of behavioral traits such as communication skills, ability to motivate staff, cooperation, dependability, etc. However, behavioral traits should be considered only if they describe significant attributes that affect the ability to accomplish library goals and objectives.

Behavioral trait evaluation is usually formulated according to a numerical scale and needs to contain specific examples. It should be coupled with a specific plan for continuing education or other procedures that will build competencies.

Some Factors/Questions to Consider

The following factors or questions are a reference point for the board to develop the type of evaluation that is best for your library and situation. Some points will not be applicable and others may need to be added. This information was adapted and updated from a presentation by Ken Ragland of the King County Library System for the Washington State Library/Washington Library Friends and Trustee Association *Workshop on Evaluating Library Directors, 1982.*

Annual Work Plan and Long-Range Planning

To what degree does the director's annual plan reflect board priorities?

Is the annual work plan updated on a continuous basis to reflect changing circumstances?

Do the director's accomplishments reflect and relate to the annual and long-range plans?

Are the plans flexible enough to allow for exigent circumstances?

Does the director provide adequate information to the board on the implementation, and need for revision of annual and long-range plans?

Establishing Priorities

Are the director's recommended priorities in concert with the library's mission as defined by the board?

Do these priorities appropriately reflect community needs?

Are priorities consistently established proactively or are they reactive?

Are "hard decisions" made and implemented or are they deferred or ignored?

Preparing and Managing the Budget

Is all the necessary staff work completed in a timely manner prior to presentation to the board?

Does the budget cover all necessary expenses?

Are funds allocated or reserved for unanticipated contingencies?

Are the funds effectively allocated?

Are mid-course corrections minimized, but made if necessary?

Does the director actively seek additional funding to support the library through grants or other resources?

Policy Recommendations to Board

Is adequate staff work completed prior to presentation to the board?

Are reasonable alternatives recommended?

Are policy recommendations generally proactive rather than reactive?

Are policy recommendations usually necessary and appropriate to the efficient operation of the library?

Implementation of Board Decisions

Are board decisions implemented on a timely basis?

Once a decision has been made, does the director back board decisions both to staff and to the community?

Managing Staff

Are positive management/staff relations maintained?

Are there clear and objective position descriptions for all staff?

Are staff evaluations based on annual work plans containing measurable objectives?

Are labor union negotiations and relationships positive?

Are fair and equitable policies proposed for board consideration and then fairly administered?

Are excessive grievances filed? If so, what is their general nature and have they been resolved?

Are state and federal laws relating to employment fully implemented?

Are there regular opportunities for staff to meet and address issues, share knowledge, and discuss library services?

Developing Staff

Are potential managers identified, encouraged to develop skills and knowledge, and assisted with their career goals?

Are internal candidates for promotion competitive with outside candidates for management positions?

Does the director actively support and budget for staff development needs, and promote attendance for all levels of staff at continuing education and training opportunities?

How well is cross training utilized to provide adequate service to the public?

Public Services

How well does the library adopt or adapt new technology or services to fit the needs of the community?

How effectively are new or long standing services of the library communicated to the public as a whole, as well as to people that may need encouragement to use the library?

Are services, and the technical processes that support the services, analyzed for effective and efficient results?

Are new or revised services established as a result of evaluations?

Does the library provide programs for all ages and a variety of interests?

Are there regular training opportunities for the public so they are able to effectively use library resources such as the Internet?

To what extent is the library used by people of all ages, education, and ethnicity?

How does the library circulation and services compare to other libraries serving a similar population size, or having similar numbers of staff, etc.?

Have programs been established to connect people to additional resources such as the Washington Talking Book and Braille Library or to literacy organizations?

Collection Development

How effective is the library program for determining user needs and wants and translating these into the collection and library services?

Has the library employed the conspectus or other objective methods to evaluate the coverage, depth, and currency of the collection?

Are there clear priorities for collection development based on the library goals?

Are there a variety of formats available for the public use including print materials, audio, video, and computer access to resources?

Does the library promote intra-system or interlibrary loan services to customers in order to provide information or materials not available in the library?

Maintenance and Construction of Library Buildings

Are buildings and grounds adequately maintained?

Is there a prioritized maintenance plan that addresses which maintenance projects will be implemented as funds become available?

Does the director have a plan that addresses the need for new or remodeled facilities?

Are new construction or remodeling projects carefully planned, implemented, and carried out within budget?

Interaction with the Community

How active is the director in the community? Are staff encouraged to be active in the community?

Does the director, and staff, solicit opportunities to speak to community groups?

Does the director meet with a variety of agencies and institutions to make them aware of the library programs and services?

Is the library represented at local planning or other events that impact the library?

Cooperation with Other Libraries, Associations, and Programs

Is the director and library staff involved with library activities within the area, state, and/or nation?

Does the director meet with directors of other libraries to consider cooperative approaches or work out solutions to common concerns?

Does the library take advantage of federal or other funding that supports the library mission and goals?

Is the director active in associations such as the Washington Library Association, the American Library Association, or the Pacific Northwest Library Association?

Does the director actively encourage and support staff so they also participate in library association activities?

Is the library represented at statewide library planning or other events?

Friends of the Library

Has the director actively promoted the formation of, or maintenance of, a Friends of the Library group?

Does the director and staff provide adequate support for the Friends?

Does the director assist the Friends group to pursue appropriate roles and activities in support of the library?

Corrective Action Plan

The annual evaluation is the opportunity for the board of trustees and the library director to discuss progress and cooperatively determine the next years' priorities and plan of work. It is also the time to jointly identify and recommend how performance problems and/or board concerns might be addressed. The board should periodically revisit agreements made during the evaluation and if they are not being met, it is the responsibility of the board to develop a plan of corrective action to help the library director meet board expectations.

Corrective action is a counseling process that defines performance expectations. It is not a disciplinary action. It provides a way for the board and director to mutually address issues that may be hindering progress towards meeting the library goals.

It should be a constructive and helpful process that strengthens the working relationship of the board and director.

Factors to Consider

Corrective action is normally progressive, but circumstances may warrant stronger or lesser actions. When determining the appropriate level of corrective action to take, the board may wish to consider the following factors in consultation with their human resources specialist:

- Has the director been made aware of the issue through board orientation, recent evaluations, other discussions with the board, or through education?
- How serious is the performance problem, the incident or concern?
- Are there any mitigating or aggravating circumstances?
- Is this a misconduct issue that requires investigation and is more appropriately classified as a disciplinary action?
- Is this a first time concern or a repetition of the same or similar issues(s)?
- If this is a repetition, how long ago was the first incident or issue discussed with the director?
- What action was taken previously?
- What has previous library practice been in similar situations?
- If prior corrective action was taken on the same issue, determine what the next progressive step should be by evaluating:
 - To what extent do you believe the employee has made an earnest effort to correct the situation?
 - To what extent will a more severe level of corrective action cause irreparable damage to the board and director working relationship? If the action is likely to cause irreparable damage, the board may decide to work with their human relations specialist and/or legal counsel to discuss terminating employment of the library director.

The Corrective Action Plan

For a corrective action plan to be successful, it will need mutual participation by the board and the library director. A corrective action plan is similar to a contract in that the board and director establish an agreement to correct a specific problem or deficiency.

Responsibilities of the board, the library director and the human resource staff in developing a corrective action plan are:

Library Board Responsibilities

Identify the problem performance or behavior.

Consider the following elements when preparing the corrective action plan in coordination with the human resources specialist:

- Nature of problem.
- Method of correcting problem.
- Feedback from employee.
- Seriousness of problem.
- New or repeat problem.

A plan needs to include:

- Measurable objectives stated as expected results.
- Provision for specific training or other assistance as needed.
- Timetable for effecting change.
- A regular schedule for discussing progress.

The board is then responsible for following through with any actions promised on their part, monitoring progress, and deciding on the next step if desired change does not occur.

Library Director Responsibilities

- Acknowledge ownership of the problem and take responsibility for correcting the problem.
- Participate in developing the solution(s) and defining reasonable timelines to correct the problem and commit to the plan.
- Ask for education or assistance if needed.
- Meet agreed upon timelines and discuss progress with the library board.

Human Resource Staff Responsibilities

- Provide advice, consultation, examples, and resources to both the board and the director.
- Assist by asking questions to elicit the nature of the problem, the degree of severity, and desired results.
- Interview or investigate as appropriate.
- Recommend when legal counsel should be consulted.

Corrective Action Interview with the Director

Written documentation should be used as a basis for a corrective action interview and a copy of the document should be given to the director. This document should:

- Specifically describe the unacceptable performance or behavior.
- State why performance or behavior is unacceptable and/or inappropriate.
- Explain impact of unacceptable performance or behavior on operations, staff, community, or other governmental personnel.
- State desired performance and how it can be achieved. Offer assistance.
- Specify job expectations needing improvement.
- Include a signature line for the director accompanied by a statement such as "I have seen this memorandum and it has been discussed with me." This wording is suggested so the signature is only an acknowledgement of receipt of the document.

During the interview the board needs to:

- Appoint a board member to take notes in order to record the director's responses.
- Clearly state the problem using examples and focusing on performance deficiency, not on personal characteristics.
- Be honest.
- Share the blame if it is appropriate.
- Ask the library director to present an explanation and pose questions or proposals for correcting the concern.
- Work out a joint solution with timelines for accomplishing change and set a date for the next review.
- Explain results if director doesn't correct problem by stated time or if there is a recurrence.
- Be positive that the desired performance can be achieved and that the board stands willing to help the director.
- Verbally summarize discussion and the agreements made by the board and the director.

After a Corrective Action Interview

After all interviews the board needs to:

- Prepare a written summary of the interview.
- Request the human resource manager to maintain the file with the corrective action memo, action plan and summary of discussions
- Monitor progress and document results.
- Arrange promised assistance or education.
- Meet regularly with library director as agreed upon and as appropriate, maintain a record of the meeting discussions, and issue follow-up memos as needed.

If the Corrective Action Plan Isn't Successful

If the expectations of the corrective action plan aren't met, the board may proceed to disciplinary action that may result in a reprimand or termination of employment.

Dismissing the Library Director

Board members should take some time to examine their own feelings about firing the director, because it is admittedly the most difficult of any personnel actions. However, the board also needs to evaluate the consequences if the director is not dismissed and the situation stays the same. It is likely that the consequences of delaying termination of employment will be worse for the library as well as for everyone involved.

Letter of Reprimand

A letter of reprimand is the first step in disciplinary action. A letter of reprimand is intended to provide a formal written admonishment concerning the library director's problem performance. It acts as a final warning, following documented corrective actions, that failure to discontinue inappropriate conduct and/or improve inadequate performance will likely result in formal disciplinary action or termination of employment.

At a minimum a letter of reprimand should:

- Clearly indicate it is a letter of reprimand.
- Describe the specific problem performance, the incident or behavior upon which the action is based, identifying date(s) time, place, etc., as appropriate.
- Include history, if appropriate, such as previous corrective action counseling, training, and agreements made with the director.
- Describe the expected performance or behavior – this may include specific action steps stated as a directive.
- Provide a warning concerning the potential consequences of not correcting the performance problem.

Termination of Employment for Cause

The library board, after thoroughly documenting the circumstances and consulting human resources staff and legal counsel, may decide to terminate employment of the library director.

Until 1987 when *RCW 27.08.010* was repealed, libraries were considered “At-Will” employers. “At-Will” is defined as the right to fire a worker for any cause at any time. Since 1987, *RCW 27.12.210 (3)* is the guiding statute and it says the library board may “Employ a librarian...and remove them for cause.”

Justifiable terminations should be spelled out in a policy handbook or personnel manual. Some of these reasons may include:

- Incompetence or failure to respond to training
- Gross insubordination
- Responsibilities not being accomplished due to extensive absences
- Sexual harassment
- Verbal abuse
- Discrimination
- Physical violence
- Falsification of records
- Theft
- Drunkenness on the job

Considering Termination of Employment in Executive Session

Discussion of potential termination of a director may be held in executive session. The actual termination must be authorized in a public meeting.

Review with Human Resources and Legal Counsel

The board should immediately consult library human resources staff or city specialists as well as legal counsel whenever considering dismissal. Sometimes the board and director may mutually agree that the situation is not beneficial. It is still necessary to consult with human resource experts and legal counsel to assure that any mutually agreed upon plan for departure is lawful and the board fully discusses and understands potential implications of any agreements.

Be sure that you are not violating any local, state or federal laws that protect specific classes of individuals from discriminatory hiring or firing based on their classification. You may not discriminate in either hiring or firing on the basis of race, sex, color, disability, religion, age, national origin, ancestry, or marital status.

Review any employment agreements made in your offer to the library director or in a subsequent employment contract. Be sure there were no verbal contracts that would reasonably alter the employment agreement. Implied contracts or practices in termination also need to be examined, especially if the personnel handbook sets out a standard disciplinary pattern and the board has not followed the usual pattern.

Be sure that your rationale for terminating employment is objective, documented, and with cause. For example, citing a “personality problem” without objective documentation of a detrimental effect or without evidence of corrective action effort is unlikely to assist the board if the library is sued for unfair dismissal. Review previous evaluations to substantiate that the board has documented the circumstances.

Review with counsel the implications of potential release and settlement agreements such as:

- Agreeing to allow the employee to resign instead of being terminated.
- Agreeing to provide a reference for the employee, at least at the level of acknowledging that they occupied the library director position.
- Agreeing to severance pay.
- Agreeing to continue insurance beyond standard expectations.
- Agreeing to assist person with job search, training, or other options.

Determine with human resource staff and counsel the need for a factual investigation or other course of action if the reason for dismissal is gross misconduct, refusal to do work that was directed by the board and would be reasonably expected, wrongful use or taking of property, or a felony conviction.

Loudermill Hearing

Based on the 1985 U. S. Supreme Court decision in the case of Cleveland Board of Education v. Loudermill (470 U.S. 532) the director is entitled to a final hearing to refute a mistaken decision. A letter from the board will advise that dismissal is being considered and give the library director an opportunity to review the charges, examine the board's evidence and indicate why dismissal is not appropriate. The board of trustees will utilize the Loudermill hearing to determine if there are reasonable grounds to believe that the charges are, or are not true, and determine whether they continue to support the proposed dismissal action.

Final Disciplinary Letter

Before dismissing the director a final disciplinary letter must be delivered. This formal letter restates the performance issues, the negative impacts on the library, and lists the agreed upon expectations that have not been met. It details the process that has been carried out including counseling, corrective action agreements, and other steps and states that the board has adopted the motion to dismiss the director.

Termination

The board then issues the letter of termination, although the human resources specialist or the library attorney will most likely write the text of the letter. The letter restates the reasons for dismissal, the effective date, and documents any release and settlement agreements.

RESOURCES

Workforce: HR Trends and Tools for Business Results. <http://www.workforce.com>

U.S. Department of Justice, *ADA homepage* <http://www.usdoj.gov/crt/ada/aclahom1.htm>