

Elating Library

Removal of a Trustee – Policy and Procedure

Pursuant to Article III, Section 7 of the Library's By-Laws, a Trustee who misses three (3) consecutive Board meetings without notifying the Board President shall be subject to removal.

In addition, pursuant to NY Education Law Section 226, subdivision 8, a Trustee may be removed for misconduct, incapacity, neglect of duty or refusal to carry into effect the library's educational purpose.

This policy sets forth the procedures to be followed in the event that the Board seeks to remove a Trustee for any of the reasons set forth above.

1. A trustee may be removed from office pursuant to either Article III, Section 7 of the Library's By-Laws or NY Education Law Section 226, subdivision 8, only by vote of not less than a majority vote of the entire board passed on a resolution to remove such person from office as a board member and to declare the office of such board member vacant. Any such resolution shall be based on a written complaint setting forth the factual basis for removal.
2. A member of the Board of Trustees who is the subject of a proposed resolution of the Board for removal from office shall be entitled to written notice, which shall include a copy of the complaint and which shall be delivered at the last known address of such board member by first class mail and also by certified mail return receipt requested not less than seven (7) days prior to the date of the meeting at which such resolution is to be considered.
3. Before the Board of Trustees votes on the proposed resolution, the board member at issue shall be entitled to present arguments in opposition to the resolution to remove prior to consideration of the resolution by the Board of Trustees.
4. Alternatively, the board member who is the subject of such proposed resolution may resign in lieu of the Board voting upon the resolution.

Approved: February 24, 2016